



Town of Arlington Select Board

Meeting Agenda

January 13, 2025

7:15 PM

Members of the public may access the hybrid meeting via Select Board Chambers, Zoom, or
ACMI

1. Legislative Provision for Remote Participation

CONSENT AGENDA

2. Minutes of Meetings: December 4, 2024; December 16, 2024
3. Contractor/Drainlayer Renewal
A. Cardillo & Son, Inc.
Waltham, MA 02451
4. Acceptance of Funds
Lael Smith, For the Order of Saint Anne
5. Acceptance of Funds From Various Entities
Anna Litten, Director of Libraries
6. Mass Save Community First Partnership Grant for Electrify Arlington Program
Talía Fox, Sustainability Manager
7. Request: Special (One Day) Beer & Wine License, 01/18/2025 @ Robbins Memorial Town Hall
for Private Event
Anne Ehlert

APPOINTMENTS

8. Arlington Bicycle Advisory Committee
Len Greenburg (term to expire: 01/31/2028)
9. Zoning Board of Appeals - Associate Member
Bradley Baranowski (term to expire: 01/31/2028)

LICENSES & PERMITS

10. For Approval: Wine & Malt Alcohol License Transfer
University Theatre PBLLC, Regent Theatre, David Malan, 7 Medford Street
11. Public Entertainment License Transfer
University Theatre PBLLC, Regent Theatre, David Malan, 7 Medford Street

12. For Approval: Common Victualler License
K Long, INC., Lucky Dragon, Shun Kit Wong, 90 Lowell Street

OPEN FORUM

Except in unusual circumstances, any matter presented for consideration of the Board shall neither be acted upon, nor a decision made the night of the presentation in accordance with the policy under which the Open Forum was established. It should be noted that there is a three minute time limit to present a concern or request.

TRAFFIC RULES & ORDERS / OTHER BUSINESS

13. For Discussion and Potential Vote: Alcohol Policy Changes
14. Discussion & Potential Vote: Select Board Warrant Articles for Annual Town Meeting

CORRESPONDENCE RECEIVED

15. Town Manager Vacation "Buy Back"

NEW BUSINESS

Next Scheduled Meeting of Select Board January 27, 2025

When: Jan 13, 2025 07:15 PM Eastern Time (US and Canada)

Topic: Select Board Meeting

Register in advance for this webinar:

https://town-arlington-ma-us.zoom.us/webinar/register/WN_zmCk_ar1QSuICF2fqY0MCQ

After registering, you will receive a confirmation email containing information about joining the webinar.

Notice to the Public on meeting privacy In the interests of preventing abuse of videoconferencing technology (i.e. Zoom Bombing) all participants, including members of the public, wishing to engage via the Zoom App must register for each meeting and will notice multi-step authentication protocols. Please allow additional time to join the meeting. Further, members of the public who wish to participate without providing their name may still do so by telephone dial-in information provided above.



Town of Arlington, Massachusetts

Legislative Provision for Remote Participation



Town of Arlington, Massachusetts

Minutes of Meetings: December 4, 2024; December 16, 2024

ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	12.04.2024_draft_minutes.pdf	Draft 12.4.2024 Minutes
▢	Reference Material	12.16.2024_draft_minutes.pdf	Draft 12.16.2024 Minutes



Select Board Meeting Minutes

Date: Wednesday, December 4, 2024

Time: 7:15PM

Location: Members of the public may access the hybrid meeting via the Select Board Chambers, Zoom, or ACMI

Present: Mr. DeCoursey, Chair, Mrs. Mahon, Vice Chair, Mr. Hurd, Mr. Diggins, Mr. Helmuth

Also Present: Mr. Feeney, Mr. Cunningham, Ms. Maher

1. Legislative Provision for Remote Participation

Mr. DeCoursey opened the meeting by stating that tonight's meeting is being conducted via Zoom, is being recorded and is also being simultaneously broadcasted on ACMI. Because all members are present, votes will be taken by voice unless a roll call is required. Persons wishing to join the meeting by Zoom may find information on how to do so on the Town's website. Persons participating by Zoom are reminded that they may be visible to others and then if you wish to participate, you are asked to provide your full name in the interest of developing a record of the meeting. Further, all participants are advised that people may be listening who do not provide comment, and those persons are not required to identify themselves. Finally, both Zoom participants and people watching on ACMI can follow the posted agenda materials, also found on the Town's website using the Novus agenda platform.

CONSENT AGENDA

2. Minutes of Meetings: November 4, 2024; November 18, 2024

3. Reappointment

Tree Committee

Keith Schnebly (Term to Expire: 12/31/2027)

Mr. Schnebly appeared before the Board and noted that he has served on the Tree Committee for six years and has been working on a vision statement. Mr. Schnebly noted that they envision the town where our urban forest is valued as a public good that provides economic, environmental and social benefits to our town.

Mr. Helmuth moved to approve.

SO VOTED (5-0)

APPOINTMENTS

4. Committee on Tourism and Economic Development (A-TED)

Sara Radin (term to expire: 1/31/2028)

Ms. Radin appeared before the Town and stated that she is a full-time employee for Google on the marketing side and feels as though she could make an impact in terms of thinking about how we bring marketing and advertising to the small businesses of Arlington. The Board thanked Ms. Radin for her willingness to serve and look forward to working with her in the future.

Mr. Hurd moved to approve.

SO VOTED (5-0)

5. LGBTQIA+ Rainbow Commission

Keelin Henderson (term to expire: 01/31/2026)

Ms. Henderson appeared before the Board and stated that they are excited to get involved with the rainbow commission. Since moving to Arlington Ms. Henderson has been looking for more ways to be involved in the community and feels extremely passionate about this committee. Ms. Henderson noted that she wants the people who live in Arlington to feel that they have a trusted resource, partner and someone that they can turn to or lean on in the community. The Board thanked Ms. Henderson for her willingness to serve and look forward to working with her in the future

Mr. Diggins moved to approve.

SO VOTED (5-0)

6. Human Rights Commission

Allison Bennett (term to expire: 06/30/2027)

Ms. Bennett appeared before the Board and explained that she works the Department of Homeland Security where she works with assisting individuals who are stateless. Ms. Bennett works to assist components throughout citizenship and immigration services and is very excited for this opportunity to help the Town and State through her professional work experience. The Board thanked Ms. Bennett for her willingness to serve and look forward to working with her in the future

Mr. Diggins moved to approve.

SO VOTED (5-0)

7. Clean Energy Future Committee

Michael Kozuch (Arlington Public Schools Representative)

Mr. Kozuch appeared before the Board and stated that he is the recently appointed director of History and Social Studies for the Arlington Public Schools K-12. Mr. Kozuch stated that through his work teaching he became more involved in climate work and environmental justice. The Board thanked Mr. Kozuch for his willingness to serve and look forward to working with him in the future

Mr. Helmuth moved to approve.

SO VOTED (5-0)

OPEN FORUM

Michael Walsh, 17 Pine Ave, spoke regarding the Host Community Agreement, Calyx Peak of MA.

TRAFFIC RULES & ORDERS / OTHER BUSINESS

8. Discussion & Approval: Climate Leader Communities Decarbonization Roadmap Talia Fox, Sustainability Manager

Ms. Fox appeared before the Board and presented the decarbonization roadmap that the Town must approve in order to apply for certification as a climate leader community. Ms. Fox stated that The Select Board is asked to provide review and approval of a Decarbonization Roadmap, that outlines how Arlington will achieve net zero greenhouse gas (GHG) emissions from its municipal buildings and vehicle fleet by 2050. Arlington has made a commitment to achieving net zero GHG emissions by 2050. In pursuit of this goal, the existing Net Zero Action Plan (NZAP) lays out actions for the Town to transition to zero emission vehicles and efficient, all-electric buildings. The Town has begun to purchase electric vehicles and prioritize all-electric new construction and renovations. The Town has also developed an Electrification & Air Quality Master Plan for six school buildings. Adopting the roadmap is a requirement for municipal designation as a Climate Leader Community, a new program that DOER has developed to supplement the Green Communities program. The Climate Leader Communities program is an opportunity for municipalities that are leading climate change mitigation efforts to achieve further recognition and pursue additional, larger amounts of grant funding. DOER has acknowledged that the current Green Communities grant funding amounts (up to \$200,000 for energy efficiency projects and up to \$500,000 for building electrification projects) are insufficient to support the scale of investment in electrification and clean energy required to achieve local and state GHG reduction goals. The DOER awarded the Town technical assistance funds to work with the nonprofit PowerOptions to develop the roadmap. PowerOptions utilized data provided by the Town including fuel usage, vehicle identification numbers, building square footage, year and condition of heating/cooling systems, and facility renovation plans. The goal of the Decarbonization Roadmap is to identify specific emissions reduction strategies that will enable the Town to meet the following minimum timeline provided by DOER, using a 2022 baseline. Ms. Fox detailed each line of the roadmap noting that following the Select Board and School Committee's approval of the Roadmap, the Town's Sustainability Manager will apply for certification as a Climate Leader Community by December 31, 2024, to secure Arlington's participation in the program's inaugural cohort. The roadmap will then serve as a planning tool that the Town will strive to follow and adjust as needed. To maintain Climate Leader Communities certification status, the Town will need to update the roadmap every three years. The Board thanked Ms. Fox for the detailed presentation and look forward to the recommendations and changes.

Mrs. Mahon moved to approve.

SO VOTED (5-0)

9. For Review and Discussion: Host Community Agreement Calyx Peak of MA

Mr. DeCoursey gave a brief introduction to this agenda item stating that this is before the Board as an update as we are in the stage where nothing was happening with this license, and we are looking for more information. Calyx Peak entered into a host community agreement with the Town in February of 2022 after which approval is needed from the Redevelopment Board. Mr. Feeney noted that the special permit application was withdrawn from the redevelopment board over a year ago and it seemed like the appropriate opportunity to invite the representatives from Calyx Peak to provide an update before the Board as to where they are in the process. Peter D'Agostino, representative with TenX Strategies appeared before the Board and gave a brief update regarding the status of their application. Mr. D'Agostino noted that their original application was withdrawn from the ARB based on a request made by the landlord. They have subsequently made those changes and are finalizing the documents to be submitted back to the ARB in a few weeks. Mr. D'Agostino noted that they are still negotiating terms of a lease with the landlord, and nothing has been signed as of today. Mr. D'Agostino noted that there has been a change in officers for the company and CEO has changed. Mr. Cunningham stated that the license was given to 'Calyx Peak of MA, Inc' which remains an existing corporation with the MA Secretary of State Corporation website. The Board thanked Mr. D'Agostino for the update and noted that they are concerned there is no set lease in place as one of the conditions of the license is 'Control of the Site' which this would fall under. The Board believes that as part of their agreement is under Section 10c which states that the 'Town's termination of this agreement for breach of the conditions' could be violated. This is where reasonable time comes into play. The Board noted that they are not determining that timeline tonight but rather letting the applicant know that they are reaching that point.

10. For Review and Discussion: Package Store License located at 80 Broadway

Mr. DeCoursey noted that the Board is in receipt of a letter that was submitted by President, Mary Parent today that states, "Dear Members of the Select Board: We would like to thank the Select Board for your patience with our situation. Sadly, Menotomy Beer & Wine has no plans to continue. We did not apply for the 2025 liquor license renewal and do not plan to; furthermore, we have no lease in place and no plans to attain one. Thank you for your assistance over the years that Menotomy Beer & Wine was part of the Arlington Community.' The Board appreciated Ms. Parent for writing the Board and are sorry about the circumstances that they are not going to be able to continue doing business in Arlington.

11. For Approval: Outdoor Dining and Retail Permit Updated Application

Ms. Maher noted that before the Board is an updated Outdoor Dining and Retail Permit Application for approval. It was noted that the Legal Department has reviewed the application and changes have been approved. Ms. Maher stated that no legal verbiage was changed but rather the changes that were made were to make the application more comprehensive. The update application now calls out specific requirements for said license upfront and are transparent for applicants and what the Board's expectations are.

Mr. Hurd moved to approve with the amendment to Section 4) Revocation: to insert 'in writing 30 days prior to actual revocation'.
SO VOTED (5-0)

NEW BUSINESS

Ms. Maher stated that the opening of the warrant for Annual Town Meeting is tomorrow December 5, 2024, and will close on Friday, January 31, 2025, at 12p.m.

Mr. Cunningham noted that the Civic Engagement Workshop is tomorrow and looks forward to speaking with citizens regarding the process or potential warrant articles.

Mr. Diggins noted that the Board at a previous meeting voted to rescind the special speed regulations in Town starting with Park Avenue and Broadway which was approved quickly by MassDOT and would like to move forward with rescinding the remaining streets.

Mrs. Mahon extended her condolences to the gentlemen that was tragically killed in the crosswalk near Trader Joes and noted that this is an ongoing investigation with the Police Department.

Mr. Hurd invited members of the Board to join him and the Selectones to sing at Winslow Towers and Frake Village on December 17 and 19 respectively.

Mr. DeCoursey noted that the Conservation Commission meeting regarding Mugar has been continued once again and is now scheduled for December 19, 2024.

Next Scheduled Meeting of Select Board December 16, 2024

Mr. Helmuth moved to adjourn at 8:57 p.m.
SO VOTED (5-0)

A true record attest.
Ashley Maher
Board Administrator

12/4/2024

Agenda Item	Documents Used
1	
2	Draft 11.4.2024 Minutes Draft 11.18.2024 Minutes
3	K. Schnebly Reappointment Reference
4	S. Radin Appointment Reference

5	K. Henderson Appointment Reference
6	A. Bennett Appointment Reference
7	M. Kozuch Appointment Reference
8	Memo from T. Fox Presentation Climate Leaders Roadmap
9	
10	
11	Current Outdoor Dining Application Draft Outdoor Dining Application



Select Board Meeting Minutes

Date: Monday, December 16, 2024

Time: 6:00PM

Location: Members of the public may access the hybrid meeting via the Select Board Chambers, Zoom, or ACMI

Present: Mr. DeCoursey, Chair, Mrs. Mahon, Vice Chair, Mr. Hurd, Mr. Diggins, Mr. Helmuth

Also Present: Mr. Feeney, Mr. Cunningham, Ms. Maher

1. Legislative Provision for Remote Participation

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2. Acceptance of Funds: Marie Krepelka Scholarship

Mr. DeCoursey stated that before the Board is in receipt of a letter from the Arlington Municipal Federal Credit Union noting that at the AMFCU's October 2024 meeting, the Board voted to make a donation to the Dollars for Scholars Scholarship Program in the memory of Marie Krepelka for two (2) one-thousand dollar (\$1,000) scholarships. As most are aware Mrs. Krepelka's husband, Chuck, was a career Arlington Firefighter and her son, Stephen, is a current Arlington Police Officer. For those reasons, the Board would like to see the scholarships go to a Arlington High School, Arlington Catholic High School, and/or Minuteman Vocational Technical High School student who plans to enroll in a Criminal Justice program and/or Fire Science program, or to be awarded to the son or daughter of a Police Officer or Firefighter.

Mrs. Mahon moved to approve.

SO VOTED (5-0)

CONSENT AGENDA

3. Request: Menotomy Grill & Tavern Late Night Event, 12/31/2024 - 1/1/2025

Menotomy Grill & Tavern, 25 Massachusetts Avenue, William Lyons

4. Request: Contractor/Drainlayer License
Cranney Home Services
Myles Freeman
Danvers, MA 01923
5. Reappointment
Transportation Advisory Committee:
Jim Stubbe (Term to Expire: 12/31/2027)

Mr. Hurd moved to approve.

SO VOTED (5-0)

APPOINTMENTS

6. Affordable Housing Trust Fund Board of Trustees
Kerry Sheehan (term to expire: October 31, 2026)

Ms. Sheehan appeared before the Board and noted that she has lived experience of trying to find affordable housing in the state of Massachusetts. Ms. Sheehan stated that living in Arlington has been so empowering and the trauma of not having a home and being able to feel settled is huge. Ms. Sheehan expressed that she would be an asset to this committee as she has unique experiences. The Board thanked Ms. Sheehan for her willingness to serve and look forward to working with her in the future.

Mr. Helmuth moved to approve.

SO VOTED (5-0)

7. Poet Laureate Screening Committee Town Manager Designee
Len Diggins

Mr. Diggins appeared before the Board and stated that when asked to serve on this committee he believes that he has the enthusiasm and drive to be apart of this committee that helps appoint the next Poet Laureate. The Board thanked Mr. Diggins for his passion in poetry along with his willingness to serve on this committee.

Mr. Helmuth moved to approve.

SO VOTED (5-0)

LICENSES & PERMITS

8. For Approval: License Renewals
Contractor/Drainlayer
Class I
Class II
Class II Non-Premise/Auctioneer
Lodging Houses/Innkeepers
Secondhand Dealer
Public Entertainment

Automatic Amusement
Food Vendor
Common Victualler
Wine & Malt Beverages Only Restaurant
All Alcohol Restaurant
All Alcohol Club
Theatre License
All Alcohol Package Store

Mrs. Mahon moved to approve with the following conditions:

- Abbotts Frozen Custard - did not submit renewal paperwork will need to reapply for new license before the Board
- Giles Liquors - needs to submit a DBA change.
- Tryst – Outdoor Dining Plan needs to be recitified
- Zomsa – Did not pass Inspectional Services / Fire Department Inspection
- American Legion Post #39 – Did not pass Inspectional Services / Fire Department Inspection
- Szechuan's Dumpling – Did not pass Inspectional Services / Fire Department Inspection

All items to be cured within a three-month period.

SO VOTED (5-0)

OPEN FORUM

No members of the public spoke.

TRAFFIC RULES & ORDERS / OTHER BUSINESS

9. Authorize TAC to Review Traffic Rules & Orders and, if Applicable, Propose Amendments to Incorporate Prior Board Votes
Lenard Diggins, Select Board

Mr. Diggins noted that a resident notified the Transportation Advisory Committee that the Traffic Rules & Orders were not reflecting all of the changes made to date. Mr. Diggins stated that TAC is in the position to review the Traffic Rules & Orders and if applicable propose amendments to incorporate prior Board votes.

Mr. Diggins moved to request TAC to bring the current Traffic Rules & Orders up to date.
SO VOTED (5-0)

10. TAC Recommendation: Special Speed Regulations
Jim Stubbe, Chair, Transportation Advisory Committee

Mr. Stubbe appeared before the Board and stated that they had a quick turn around from both the State and the DPW with the request to rescind the special speed regulations on Park Ave and Broadway. Mr. Stubbe is before the Board tonight for the Board's approval to rescind all special speed regulations above the statutory town wide 25 mile an hour limit.

Mrs. Mahon moved to approve.

SO VOTED (5-0)

CORRESPONDENCE RECEIVED

11. Request: Plaque Near 231 Broadway Honoring VisiCalc
Paul Selker

Mrs. Mahon moved receipt and referred to the Public Memorials Committee.

SO VOTED (5-0)

NEW BUSINESS

Mrs. Mahon noted that the Town started rolling out its translation services noting that there are a number of languages available.

Mr. DeCoursey noted that Arlington High School Hockey Coach John Messuri earned his 400th win and acknowledged this remarkable accomplishment. Mr. DeCoursey stated that he will be running for re-election and hopes to have the opportunity to continue serving the Town and working with his colleagues and Town Staff.

Next Scheduled Meeting of Select Board January 13, 2025

Mr. Helmuth moved to adjourn at 6:48 p.m.

SO VOTED (5-0)

A true record attest.

Ashley Maher

Board Administrator

12/16/2024

Agenda Item	Documents Used
1	
2	M. Krepelka Scholarship Memo
3	Menotomy Grille Late Night Request Memo
4	Cranney Home Services Contractor/Drainlayer Reference
5	J. Stubbe Reappointment Reference
6	Meeting Letter Letter of Interest
7	L. Diggins Reference Haikus Reference 1

	Haikus Reference 2 Reference 3
8	Contractor/Drainlayer Reference 2025 Renewal Spreadsheet Planning Inspection Report Police Inspection Report Building Inspection Report Fire Inspection Report Board of Health Inspection Report
9	
10	Speed Limit Recommendations Memo
11	CR- VisiCalc Memo



Town of Arlington, Massachusetts

Contractor/Drainlayer Renewal

Summary:

A. Cardillo & Son, Inc.
Waltham, MA 02451

ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	Memo_Contractor_Drainlayer.pdf	Reference

OFFICE OF THE SELECT BOARD

STEPHEN W. DECOURCEY, CHAIR
DIANE M. MAHON, VICE CHAIR
JOHN V. HURD
LENARD T. DIGGINS
ERIC D. HELMUTH



730 MASSACHUSETTS AVENUE
TELEPHONE 781-316-3020
FAX 781-316-3029

TOWN OF ARLINGTON
MASSACHUSETTS 02476-4908

MEMORANDUM

TO: Select Board Members

FROM: Caroline Kalogeropoulos, Administrative Assistant

DATE: January 9, 2025

RE: Contractor/Drainlayer Renewal – A. Cardillo & Son, Inc.

On Monday, December 16, 2024, the Select Board voted to renew all the Contractor/Drainlayer licenses that were received. The attached is a contractor/drainlayer renewal application that was received after the deadline.

CK
Attachment

OFFICE OF THE SELECT BOARD

STEPHEN W. DECOURCEY, CHAIR
DIANE M. MAHON, VICE CHAIR
JOHN V. HURD
LENARD T. DIGGINS
ERIC D. HELMUTH



730 MASSACHUSETTS AVENUE
TELEPHONE 781-316-3020
FAX 781-316-3029

TOWN OF ARLINGTON
MASSACHUSETTS 02476-4908

The License applied for, if Granted, cannot be Sold, Transferred or
Surrendered without the authority of the Select Board.

2025 RENEWAL APPLICATION

Fee: \$75.00

12/6/24
(Date)

To the Select Board:

The undersigned hereby make application for a
CONTRACTOR/DRAINLAYER LICENSE

SIGNATURE

RESIDENCE
(Street and Number)

A. Cardillo & Son Inc

53 Midland Drive

Print Name

[Signature] - Anthony Cardillo

Waltham MA

Signature

781-893-7047

02451

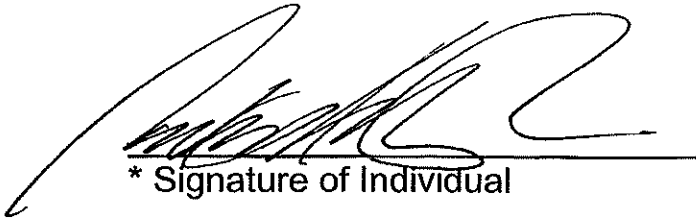
Telephone number

ascardillo@cardillocorp.com

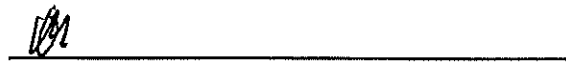
E-mail

R.E.A.P./ATTESTATION FORM

I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all state taxes as required under law.


* Signature of Individual


By: Corporate Officer


** Social Security Number
(Voluntary)


** Federal Identification Number

*This license will not be issued unless this certification clause is signed by the applicant.

Your social security number and/or federal identification number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Licensees who fail to correct their non-filing or delinquency **will be subject to license suspension or revocation. This request is made under the authority of *Massachusetts General Law, Chapter 62C, Section 49A.*



Town of Arlington Contractor Supplemental Endorsement Page

Included with this Application Package is a collection of Information Sheets intended to alert you as an Approved Contractor, of many important areas that you should be knowledgeable in as a contractor.

As part of the License Application/Renewal you must submit this check list with the application submittal to confirm that you have received the information and reviewed the content. Please review and acknowledge receipt of the supplemental documents included with this application/renewal by initialing the line and providing a signature at the bottom of this form:

- Excavation & Trench Safety information Sheet;
- Erosion & Sedimentation Control Information Sheet;
- DigSafe Information Sheet;
- Work Zone Safety Information Sheet;
- ADA Sidewalk and Accessibility Information Sheet;
- Tree Protection Information Sheet;

[Handwritten signature]

[Handwritten signature]

[Handwritten signature]

[Handwritten signature]

[Handwritten signature]

[Handwritten signature]

As required for issuance of the Town of Arlington Drainlayer/Approved Contractor License I hereby acknowledge receipt of the supplemental information and indicated by initials above that I have reviewed, understand and will adhere to these requirements in the course of work performed in the Town of Arlington.

Company:

A. Cardillo & Son Inc.

Signature:

[Handwritten signature]

Name:

Anthony C. Cardillo
(please print name)



Town of Arlington, Massachusetts

Acceptance of Funds

Summary:

Lael Smith, For the Order of Saint Anne

ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	Fire_Dept_Donation_Letter.pdf	Reference

Order of St. Anne — Bethany Convent

December 12, 2024

Kevin M. Kelley
Fire Chief
Arlington Fire Department
411 Mass Ave
Arlington, MA 02476

RE: Donation to the Arlington Fire Department

Dear Chief Kelley,

The Sisters of St. Anne would like to acknowledge Arlington Fire Department's service to the community. The Order of St. Anne would like to make a donation of \$12,000 for the use and benefit of the Arlington Fire Department.

Please accept this gift with our gratitude.

Sincerely,



Lael Smith
For the Order of St. Anne



Town of Arlington, Massachusetts

Acceptance of Funds From Various Entities

Summary:

Anna Litten, Director of Libraries

ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	Accept_and_Expect_Memo_-_Libraries.pdf	Reference



TOWN OF ARLINGTON

ROBBINS LIBRARY

700 MASSACHUSETTS AVENUE
ARLINGTON, MASSACHUSETTS 02476
TELEPHONE 781-316-3200

MEMORANDUM

To: Stephen W. DeCoursey, Select Board Chair
CC: Jim Feeney, Town Manager
Michael Cunningham, Town Counsel
Jaclyn Munson, Deputy Town Counsel
From: Anna Litten, Director of Libraries
Date: January 2, 2025
RE: Acceptance and Expenditure of Gifts

This memorandum summarizes the request to approve the acceptance of charitable gifts donated to Robbins Library.

In November of 2024, Robbins Library received unsolicited donations in the amount of \$700.00

Pursuant to M.G.L. Ch. 44 s. 53A, is it hereby requested that the Select Board approve the acceptance of the donations described below so they may be expended for the purposes granted.

Amount	Received	Use	Source	Department
\$500	November 14, 2024	Library Operations	Timothy James McGrath	Robbins Library
\$100	November. 1, 2024	Library Operations	Fidelity Charitable Advised Fund, Joseph Kesselman Charitable Fund	Robbins Library
\$100	November 20, 2024	Library Operations	Fidelity Charitable Advised Fund, Burns Family Charitable Giving Fund	Robbins Library
\$1,000	December 19, 2024	Library Operations	Jeremiah Hallisey	Robbins Library
\$500	December 26, 2024	Library Operations	Susan Wheelock	Robbins Library



Town of Arlington, Massachusetts

Mass Save Community First Partnership Grant for Electrify Arlington Program

Summary:

Talia Fox, Sustainability Manager

ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	MassSaveGrant_Memo.pdf	Memo from Planning Department



TOWN OF ARLINGTON
DEPARTMENT OF PLANNING and
COMMUNITY DEVELOPMENT

TOWN HALL, 730 MASSACHUSETTS AVENUE
ARLINGTON, MASSACHUSETTS 02476
TELEPHONE 781-316-3090

MEMORANDUM

To: Michael Cunningham, Town Counsel
Cc: Jim Feeney, Town Manager
Alex Magee, Deputy Town Manager/Finance Director
Claire Ricker, Director, Planning and Community Development
Ashley Maher, Select Board Administrator
From: Talia Fox, Sustainability Manager, Planning and Community Development
Date: January 9, 2025
RE: Mass Save Community First Partnership Grant for Electrify Arlington Program

The Department of Planning & Community Development requests that the Select Board approve Arlington's [Mass Save Community First Partnership](#) (CFP) award, which the Town has received as part of the Mass Save Energy Efficiency Program Administrators' 2025-2027 Three-Year Energy Efficiency Plan.

The Town has been awarded \$46,250 per year over three years (\$138,750 total). Funding for 2026 and 2027 is contingent upon the Town's achievement of specific program targets in 2025 (e.g., number of home energy assessments completed, number of heat pumps installed), to be determined by the Program Administrators. The final award amount is also contingent upon the final approval by the Department of Public Utilities of the Massachusetts 2025–2027 Energy Efficiency and Decarbonization Plan.

[Mass Save](#) is the utility-sponsored, ratepayer-funded energy efficiency program in Massachusetts, which is a collaborative of electric and natural gas utilities. Accordingly, the two utilities that serve Arlington—Eversource and National Grid—are providing these grant funds to the Town as sponsors of the Mass Save program. The Select Board previously approved the Town's participation in the 2023-2024 CFP, which included an annual award of \$20,000 (\$40,000 for two years).

The recent award extends and increases funding to support the Town's part-time Energy Advocate role, currently held by Lori Kenschaft. For the past 18 months, with the support of the 2023-2024 CFP award, Ms. Kenschaft has led a successful outreach program promoting energy efficiency and associated cost savings opportunities through the Mass Save program. Her work, as intended by the CFP grant, focuses on Arlington's environmental justice populations (primarily low- and moderate-income residents and renters), as these populations have seen lower participation in Mass Save offerings historically. The additional funding for 2025-2027 will enable Ms. Kenschaft to expand upon and deepen this important work.

The outreach will occur under the umbrella of the Town's Electrify Arlington program. [Electrify Arlington](#) is a community-wide campaign to eliminate Arlington's greenhouse gas (GHG) emissions through energy efficiency and clean electricity. Current program components include free heat pump coaching, support scheduling no-cost Mass Save energy audits, and educational events.



Town of Arlington, Massachusetts

Request: Special (One Day) Beer & Wine License, 01/18/2025 @ Robbins Memorial Town Hall for Private Event

Summary:

Anne Ehlert

ATTACHMENTS:

	Type	File Name	Description
▯	Reference Material	Ehlert_A_One_Day_License_Redact_011825.pdf	Reference

pd. cl 6477

OFFICE OF THE SELECT BOARD
TOWN OF ARLINGTON
MASSACHUSETTS 02476-4908

SPECIAL ALCOHOL LICENSE APPLICATION

Name of Applicant: Anne Ehlert

Address, phone & e-mail contact information:

[REDACTED]

Name & address of Organization for which license is sought:

N/A

Does this Organization hold nonprofit status under the IRS Code? Yes ☒ No

Name of Responsible Manager of Organization (if different from above):

Thomas Grenon, Simply Serving

Address, phone & e-mail contact information:

[REDACTED]

Has the Applicant or Organization applied for and/or been granted a special liquor license this calendar year? No If so, please give date(s) of Special Licenses and/or applications and title of event(s)

Is this event an annual or regular event? If so, when was the last time this event was held and at what location?

One-time event -- memorial reception

24-Hour contact number for Responsible Manager of Alcohol Event date:

[REDACTED]

Title of Event: Memorial Reception

Date/time of Event: Saturday, January 18, 2025 1:00 PM -- 6:00 PM

Location of Event: Arlington Town Hall

Location/Event Coordinator: Patsy Kraemer

Method(s) of invitation/publicity for Event: private invitation

Number of people expected to attend: 100

Expected admission/ticket prices: N/A

Expected prices for food and beverages (alcoholic and non-alcoholic): NA

Will persons under age 21 be on premises? YES

If "yes," please detail plan to prevent access of minors to alcoholic beverages.

Bartending staff will ID everyone using alcohol.

Have you consulted with the Department of Police Services about your security plan for the Event? YES

OFFICE USE ONLY

For Police Chief, Operations Commander, or designee:

Your signature below indicates that you have discussed this event with the applicant, you have reviewed the applicant's security plan, and any necessary police details have been arranged for the Event.

Printed name/title Off. Corey P. Rataan Date: 1/7/2025

Printed name/title

POLICE COMMENTS:

What types of food and non-alcoholic beverages do you plan to serve at the Event?

Blue Ribbon barbeque, Dips and veggies, desserts waters, sodas

Who will be responsible for serving alcoholic beverages at the Event?

Bartending staff from Simply Serving

What training or certification in responsible alcohol service does this person have? Please attach certificate or other proof of training for at least one person who will have responsibility for serving alcoholic beverages at each point of service and who will be present for the entire Event.

Tips Certification

Please list the names and dates of birth for all people who will be responsible for serving alcoholic beverages at the Event. Anyone serving alcoholic beverages must be at least 21 years of age.

attached

Name of the Massachusetts wholesaler who will deliver to site? (Full supplier list available on the ABCC website: www.mass.gov/abcc)

Kappy's Everett Ma

Date of Delivery: Saturday, January 18, 2025

Alcohol Serving Time (s): 1:00 pm - 5:00 pm

How, when, and by whom will excess alcoholic beverages obtained for the Event be disposed of?

Kappy's will take back excess alcohol.

Date of Pick-Up: Monday, January 20, 2025

Please provide details (insurance company, type of policy, name of insured, and policy limits) of any relevant insurance coverage for the Event, included but not limited to General Liability and Liquor Liability Insurance. (You may be asked to supply a certificate or other proof of adequate insurance coverage.)

attached

Please submit this completed form and filing fee to the Select Board at least 21 days before your Event. Failure to provide complete information may delay the processing of your application.

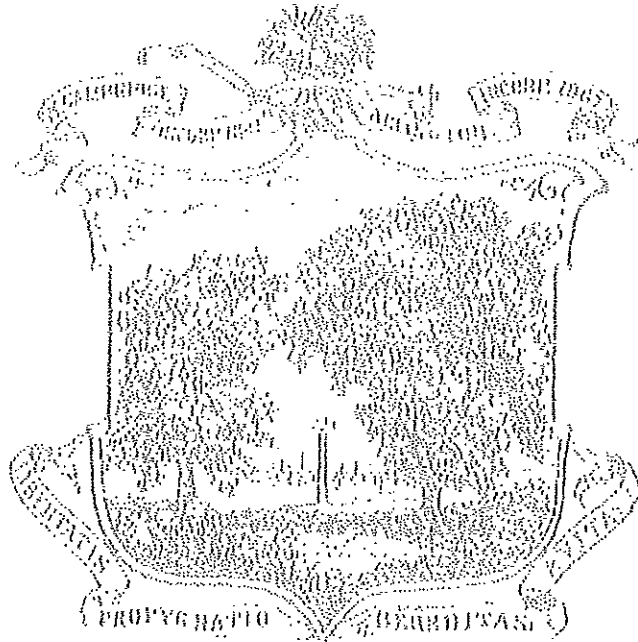
I HAVE READ AND UNDERSTAND ALL RULES AND REGULATIONS:

Signature: _____

Printed name: Anne Ehlert

Printed title & Organization name: _____

Email: _____





ROBBINS MEMORIAL TOWN HALL AUDITORIUM
730 Massachusetts Avenue, Arlington, Ma. 02476

2 January 2025

SECURITY PLAN FOR EHLERT MEMORIAL RECEPTION

The Ehlert family is holding a Memorial Reception to be held on Saturday, January 18, 2025, at the Arlington Town Hall. The event will be held from 1:00 pm to 4:00 pm. A One-Day Permit has been submitted to the Selectmen's Office.

This is the Security Plan.

We anticipate approximately 125 people to attend, including children and adults.

Patsy Kraemer will be the event coordinator for the event. Bartending service will be provided by Simply Serving. Food will be provided by Blue Ribbon Barbecue. Greg Stathopoulos will be the custodian for the event. The Ehlert family will be responsible for ensuring that the event runs smoothly. A fire services detail will be hired for the event.

Parking for the event will be available in the Town Hall parking lot, the parking lot at the Central School office building directly behind Town Hall, and on the side streets, as well as Mass. Ave.

Please advise if there are other items that we need to consider.

OFFICE OF THE SELECT BOARD
TOWN OF ARLINGTON
MASSACHUSETTS 02476-4908

SPECIAL ALCOHOL LICENSE POLICY & APPLICATION

APPROVED: 6/7/10

REVISED: 4/30/12

REVISED: 5/18/15

1. A Special License for the sale of all alcoholic beverages may be granted to the responsible manager of any non-profit organization conducting any indoor or outdoor activity or enterprise.
2. A Special License for the sale of wine and malt beverages only, or either of them, may be granted to the responsible manager of any indoor or outdoor activity or enterprise.
3. Sale and consumption are limited to inside of the premises. Unless otherwise voted by the Select Board ("Board"), outside consumption is prohibited. If allowed by Board vote, outdoor sale and consumption may occur only in a defined outside area away from public ways.
4. All events on Town property require a Special License.
5. Consistent with Section 14 of Massachusetts General Laws Chapter 138, a responsible manager and alternate should be named by the organization, one of whom shall be on the premises at all times while alcohol is being served. The responsible manager must be at least 21 years of age. The name(s) and 24-hour contact information shall be on file with the Office of the Select Board and Police Services Division.
6. The Local Licensing Authority (Select Board) may impose reasonable conditions and limitations on any Special License that is granted, including but not limited to the hours of operation and the presence of a police detail(s).
7. **Security.** The applicant must present a security plan to the Arlington Police Department before filing this application. This security plan must include provisions for crowd control, dealing with unruly patrons, emergency evacuations, traffic/parking considerations, and controlling access to alcohol by under aged persons. Unless circumstances warrant otherwise, the security plan will require one police officer for an event that 150 people are expected to attend and two officers for an event that 300 or more people are expected to attend. *The Chief of Police, Operations Commander, or their designee must sign off on this application as to the security plan for the event before the application is filed with the Select Board.* Moreover, applicants must demonstrate that people who will be serving alcoholic beverages are at least 21 years of age and that at least one person who will be staffing each point of service of alcoholic beverages has certification in TIPS or comparable safety training.



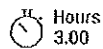
CERTIFICATE OF COMPLETION

This certifies that

Christopher Geiger

is awarded this certificate for

TIPS On-Premise Alcohol Server Training



Hours
3.00



Completion Date
11/12/2022



Expiration Date
11/11/2025



Certificate #
ON-000027165597



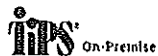
Official Signature

THIS CERTIFICATE IS NON-TRANSFERABLE

5000 Plaza on the Lake, Suite 305 | Austin, TX 78746 | 877.881.2235 | www.360training.com

(CUT HERE)

(CUT HERE)



Issued: 11/12/2022
Certificate #: ON-000027165597

Christopher Geiger

CERTIFIED

Expires: 11/11/2025



Phone: 800-438-8477
www.gettips.com

This card was issued for successful completion of the TIPS program.

Signature _____



A 360TRAINING COMPANY

CERTIFICATE OF COMPLETION

This certifies that

Joshua Bell

is awarded this certificate for

TIPS On-Premise Alcohol Server Training



Hours
3.00



Completion Date
01/02/2024



Expiration Date
01/01/2027



Certificate #
ON-000030555299

Official Signature

THIS CERTIFICATE IS NON-TRANSFERABLE

6504 Bridge Point Parkway, Suite 100 | Austin, TX 78730 | www.360training.com

(CUT HERE)

(CUT HERE)



Issued: 01/02/2024
Certificate #: ON-000030555299

Joshua Bell

CERTIFIED

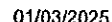
Expires: 01/01/2027



Phone: 800-438-8477
www.gettips.com

This card was issued for successful completion of the TIPS program.

Signature _____





Town of Arlington, Massachusetts

Arlington Bicycle Advisory Committee

Summary:

Len Greenburg (term to expire: 01/31/2028)

ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	Greenberg_L_ABAC_apptmt_ltr.pdf	Reference

OFFICE OF THE SELECT BOARD

STEPHEN W. DECOURCEY, CHAIR
DIANE M. MAHON, VICE CHAIR
JOHN V. HURD
LENARD T. DIGGINS
ERIC D. HELMUTH



730 MASSACHUSETTS AVENUE
TELEPHONE
781-316-3020
781-316-3029 FAX

TOWN OF ARLINGTON
MASSACHUSETTS 02476-4908

January 9, 2025

Len Greenberg
Arlington, MA 02476

Re: Appointment: Arlington Bicycle Advisory Committee

Dear Len:

As a matter of the standard appointment procedure, the Select Board requests that you attend the Select Board meeting conducted by hybrid format, on Monday, January 13, 2025, at 7:15 p.m.

It is a requirement of the Select Board that you join this hybrid meeting. This will give the Board an opportunity to meet and discuss matters with you about the area of activity in which you will be involved.

You may attend the meeting in-person or virtually. The meeting will take place in the Select Board Chambers. The link to the meeting and other information will be available at the bottom of the Select Board Agenda as well as on the Town Calendar when the meeting is posted on Thursday, January 9th, at 7:00 p.m.

Please do not hesitate to contact me by e-mail, sbadmin@town.arlington.ma.us, if you have any questions.

Thank you.

Very truly yours,
SELECT BOARD

A handwritten signature in cursive script that reads "Ashley Maher".

Ashley Maher
Board Administrator

VITA

Leonard Greenberg

License: State of Massachusetts
Licensed Psychologist

(:

Certification: Approved Supervisor, Haley-Madanes Family Therapy Institute

Certification of Proficiency: Treatment of Alcohol and Other Psychoactive Substance Use Disorders
(APA College of Professional Psychology) Certification # AD001183

Education:

1974-1981 Ph.D., Clinical Psychology, Case Western Reserve University, Cleveland, Ohio
1973-1974 M.A., General Psychology, Georgia State University, Atlanta, Georgia
1965-1969 A.B., Psychology, Duke University, Durham, North Carolina

Post-Doctoral Training:

1985-1986 Family Therapy Institute of Washington D.C., Rockville, Maryland
1983-1984 Family Studies Inc., New York, New York; advanced training
1982-1983 Family Therapy Institute of Washington D.C., Rockville, Maryland;

Employment/Clinical Experience:

9/85 - present Private Practice; 76 Bedford Street, Suite 21, Lexington, MA
6/16 - present Harvard Faculty; 3-hour position, Cambridge Health Alliance, Cambridge, MA
8/02 - 8/04 Senior Supervisor; The Family Center, Somerville, MA
8/91 - 6/11 Faculty; Family Institute of Washington D.C., Boston Area Campus, Watertown, MA
8/01 - 6/03 Consultant, Department of Mental Health, Metro-Suburban & Worcester regions
7/97 - 2/00 Clinical Coordinator; Children's Community Support Collaborative, Brighton, MA
3/96 - 7/97 Senior Psychologist; Neponset Health Center, Boston, MA
8/88 - 3/96 Senior Psychologist/Institute Faculty; AtlantiCare Medical Center, Lynn, MA
7/92 - 8/95 Consultant, Southeast Region, Department of Social Services, Brockton, MA
7/87 - 8/88 Director of Clinical Training; Marlborough Hospital, Mental Health Unit, Marlborough, MA
12/80-6/90 Staff Psychologist; The Center for Mental Health, Outpatient Services, Waltham, MA
7/86 - 3/87 Program Director, Family Therapy Program; Trinity Mental Health Center, Framingham, MA
9/84 - 8/88 Consultant, Beaverbrook Guidance Center, Waltham, MA
1/81 - 6/81 Consultant; Concord Project, Delta Projects, Inc., Cambridge, MA
9/77 - 8/78 Clinical Psychology Intern; University of Rochester Medical Center, Rochester, NY
9/76 - 8/77 Intern; Portage County Community Mental Health Center, Ravenna, OH
9/75 - 8/76 Intern; Cleveland Metropolitan General Hospital/Cleveland Psychiatric Institute, Cleveland, OH



Town of Arlington, Massachusetts

Zoning Board of Appeals - Associate Member

Summary:

Bradley Baranowski (term to expire: 01/31/2028)

ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	Baranowski_B_ZBA_apptmt_ltr.pdf	Reference

OFFICE OF THE SELECT BOARD

STEPHEN W. DECOURCEY, CHAIR
DIANE M. MAHON, VICE CHAIR
JOHN V. HURD
LENARD T. DIGGINS
ERIC D. HELMUTH



730 MASSACHUSETTS AVENUE
TELEPHONE
781-316-3020
781-316-3029 FAX

TOWN OF ARLINGTON
MASSACHUSETTS 02476-4908

January 9, 2025

Bradley Baranowski
Arlington, MA 02476

Re: Appointment: Zoning Board of Appeals

Dear Bradley:

As a matter of the standard appointment procedure, the Select Board requests that you attend the Select Board meeting conducted by hybrid format, on Monday, January 13, 2025, at 7:15 p.m.

It is a requirement of the Select Board that you join this hybrid meeting. This will give the Board an opportunity to meet and discuss matters with you about the area of activity in which you will be involved.

You may attend the meeting in-person or virtually. The meeting will take place in the Select Board Chambers. The link to the meeting and other information will be available at the bottom of the Select Board Agenda as well as on the Town Calendar when the meeting is posted on Thursday, January 9th, at 7:00 p.m.

Please do not hesitate to contact me by e-mail, sbadmin@town.arlington.ma.us, if you have any questions.

Thank you.

Very truly yours,
SELECT BOARD

A handwritten signature in cursive script that reads "Ashley Maher".

Ashley Maher
Board Administrator

BRADLEY BARANOWSKI
Boston University School of Law

EDUCATION

Boston University School of Law, Boston, MA

Juris Doctor, *summa cum laude*, May 2020

Activities: Boston University Law Review: Articles Editor (2019–2020),
Member (2018–2019)

Honors: Stone Moot Court: Best Brief, Best Oralist
Melville M. Bigelow Scholarship Award (for demonstrating the
greatest promise as a scholar and teacher in law)
William L. & Lillian Berger Achievement Prize (for exemplary
scholastic achievement)
Edward F. Hennessey Distinguished Scholar (highest third-year
honor)
Paul J. Liacos Distinguished Scholar (highest second-year honor)
G. Joseph Tauro Distinguished Scholar (highest first-year honor)

Dean's Awards: Intellectual Property, Administrative Law, Torts

University of Wisconsin-Madison, Madison, WI

Doctor of Philosophy, History, May 2017; Masters, History, Dec. 2012

Dissertation: “America’s Moral Conscience: John Rawls and the Making of Modern
Liberalism”

Kent State University, Kent, OH

Bachelor of Arts, *summa cum laude*, History (with Honors), May 2010

LEGAL WORK EXPERIENCE

Boston University School of Law, Boston, MA

Jul. 2024–Present

Visiting Assistant Professor

Committee for Public Counsel Services, Boston, MA

Dec. 2023–Present

Appellate Counsel on the Post-Conviction Panel

Jones Day, Boston, MA

Oct. 2023–June 2024

Associate

U.S. Supreme Court, Washington, D.C.

Sept. 2022–Aug. 2023

Supreme Court Fellow assigned to the Federal Judicial Center

U.S. Court of Appeals for the Sixth Circuit, Cleveland, OH

Aug. 2021–Sept. 2022

Law Clerk to the Honorable Karen Nelson Moore

Massachusetts Supreme Judicial Court, Boston, MA

Aug. 2020–Aug. 2021

Law Clerk to the Honorable David A. Lowy

Boston University School of Law, Boston, MA

Sept. 2018–May 2019

Research Assistant to Professor James E. Fleming

U.S. District Court for the District of Massachusetts, Boston, MA

May 2018–Jul. 2019

Judicial Intern to the Honorable Indira Talwani

SELECTED PUBLICATIONS

Remaking Rulemaking: Lessons from the History of Federal Rule of Civil Procedure 54(b) (with Emery G. Lee III) (under review)

Discovering the Future of Personal Jurisdiction, 56 CONN. L. REV. 687 (2024)

Review of CHRISTOPHER W. SCHMIDT, CIVIL RIGHTS IN AMERICA: A HISTORY (2021), in 108 HISTORY: THE JOURNAL OF THE HISTORICAL ASSOCIATION 170 (2023)

How to Do Things with Justice: Professor Rawls, 1962–1971, 44 ANALYSE & KRITIK 61 (2022)

The Representative First Amendment: Public-Sector Exclusive Representation after Janus v. AFSCME, 99 B.U. L. REV. 2249 (2019)

Honorable mention for the 2020 Scribes Law-Review Award

Beyond Piketty: Economic History and Inequality, 103 HISTORY: THE JOURNAL OF THE HISTORICAL ASSOCIATION 628 (2018)

The Unending Conversation: Kenneth Burke and Richard McKeon's Aesthetic Pragmatism, 1920–1960, 15 MODERN INTELLECTUAL HISTORY 153 (2018)

TEACHING EXPERIENCE

Boston University School of Law, Boston, MA

Administrative Law (Visiting Assistant Professor: Fall 2024); *Federal Courts* (Visiting Assistant Professor: Spring 2025)

University of Wisconsin-Madison, Madison, WI

Inequality: An American Dilemma (Lecturer: Summer 2017); *The History Lab* (Director: Spring 2016–Spring 2017; Tutor: Fall 2015); *Western Culture: Science, Technology, Philosophy II* (Teaching Assistant: Spring 2015); *Introduction to Speech Composition* (Teaching Assistant: Fall 2014, Fall 2013, Fall 2011); *Theory and Practice of Argumentation and Debate* (Teaching Assistant: Spring 2012); *History of American Thought, 1859–Present* (Teaching Assistant: Spring 2011)

FELLOWSHIPS, GRANTS & AWARDS

Kent State University at Ashtabula, Ashtabula, OH

Roger T. Beittler Distinguished Former Student Award

University of Wisconsin-Madison, Madison, WI

History Department Meritorious Service Award

Phi Alpha Theta Outstanding Teaching Award

Integrated Liberal Arts Outstanding Teaching Award

Chancellor's Fellowship

Early Excellence in Teaching Award

BAR ADMISSIONS

Massachusetts

COURT ADMISSIONS

U.S. Circuit Court for the Sixth Circuit Court of Appeals

U.S. District Court for the District of Massachusetts



Town of Arlington, Massachusetts

For Approval: Wine & Malt Alcohol License Transfer

Summary:

University Theatre PBLLC, Regent Theatre, David Malan, 7 Medford Street

ATTACHMENTS:

	Type	File Name	Description
▣	Reference Material	Regent_Alc_Transfer_App.pdf	Application
▣	Reference Material	Regent_Alc_Transfer_Inspection_Reports_Signed.pdf	Inspection Reports

The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3, Chelsea, MA 02150-2358
www.mass.gov/abcc

RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION
MONETARY TRANSMITTAL FORM

APPLICATION FOR A TRANSFER OF LICENSE

**APPLICATION SHOULD BE COMPLETED ON-LINE, PRINTED, SIGNED, AND SUBMITTED TO THE LOCAL
LICENSING AUTHORITY.**

ECRT CODE: RETA

Please make \$200.00 payment here: [ABCC PAYMENT WEBSITE](#)

PAYMENT MUST DENOTE THE NAME OF THE LICENSEE CORPORATION, LLC, PARTNERSHIP, OR INDIVIDUAL AND INCLUDE THE
PAYMENT RECEIPT

ABCC LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY)

003000067

ENTITY/ LICENSEE NAME University Theatre PBLLC d/b/a Regent Theatre

ADDRESS 7 Medford Street

CITY/TOWN Arlington

STATE MA

ZIP CODE 02474

For the following transactions (Check all that apply):

- | | | | |
|--|---|---|---|
| <input type="checkbox"/> New License | <input type="checkbox"/> Change of Location | <input type="checkbox"/> Change of Class (i.e. Annual / Seasonal) | <input type="checkbox"/> Change Corporate Structure (i.e. Corp / LLC) |
| <input checked="" type="checkbox"/> Transfer of License | <input type="checkbox"/> Alteration of Licensed Premises | <input type="checkbox"/> Change of License Type (i.e. club / restaurant) | <input type="checkbox"/> Pledge of Collateral (i.e. License/Stock) |
| <input type="checkbox"/> Change of Manager | <input type="checkbox"/> Change Corporate Name | <input type="checkbox"/> Change of Category (i.e. All Alcohol/Wine, Malt) | <input type="checkbox"/> Management/Operating Agreement |
| <input type="checkbox"/> Change of Officers/
Directors/LLC Managers | <input type="checkbox"/> Change of Ownership Interest
(LLC Members/ LLP Partners,
Trustees) | <input type="checkbox"/> Issuance/Transfer of Stock/New Stockholder | <input type="checkbox"/> Change of Hours |
| | <input type="checkbox"/> Other | | <input type="checkbox"/> Change of DBA |

**THE LOCAL LICENSING AUTHORITY MUST SUBMIT THIS
APPLICATION ONCE APPROVED VIA THE ePLACE PORTAL**

Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
Chelsea, MA 02150-2358



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3, Chelsea, MA 02150-2358
www.mass.gov/abcc

APPLICATION FOR A TRANSFER OF LICENSE

Municipality

1. TRANSACTION INFORMATION

- ☒ Transfer of License
☐ Alteration of Premises
☐ Change of Location
☐ Management/Operating Agreement
- ☐ Pledge of Inventory
☐ Pledge of License
☐ Pledge of Stock
☐ Other
- ☐ Change of Class
☐ Change of Category
☐ Change of License Type
(\$12 ONLY, e.g. "club" to "restaurant")

Please provide a narrative overview of the transaction(s) being applied for. On-premises applicants should also provide a description of the intended theme or concept of the business operation. Attach additional pages, if necessary.

Medford Street Theatre Inc. d/b/a Regent Theatre, would like to transfer its liquor license to University Theatre PBLLC, which will continue to operate the theatre (d/b/a) as Regent Theatre, a performing arts center.

2. LICENSE CLASSIFICATION INFORMATION

ON/OFF-PREMISES	TYPE	CATEGORY	CLASS
On-Premises-12 <input checked="" type="radio"/>	Theatre	Wines and Malt Beverages	Annual <input checked="" type="radio"/>

3. BUSINESS ENTITY INFORMATION

The entity that will be issued the license and have operational control of the premises.

Current or Seller's License Number	<input type="text" value="003000067"/>	FEIN	<input type="text"/>
Entity Name	<input type="text" value="University Theatre PBLLC"/>		
DBA	<input type="text" value="Regent Theatre"/>	Manager of Record	<input type="text" value="Leland Stein"/>
Street Address	<input type="text" value="7 Medford Street, Arlington MA 02474"/>		
Phone	<input type="text"/>	Email	<input type="text"/>
Add'l Phone	<input type="text"/>	Website	<input type="text" value="https://regenttheatre.com/"/>

4. DESCRIPTION OF PREMISES

Please provide a complete description of the premises to be licensed, including the number of floors, number of rooms on each floor, any outdoor areas to be included in the licensed area, and total square footage. If this application alters the current premises, provide the specific changes from the last approved description. You must also submit a floor plan.

The Regent Theatre is a performing arts center with one stage and one movie screen, 18,106 sq. ft with 1 entrance and 6 exits with a seating capacity of 495. Main entrance on Medford St., two emergency exits to the back driveway, one emergency exit off the left aisle and left side of stage to the alley, two emergency exits at the

Total Sq. Footage	<input type="text" value="18106"/>	Seating Capacity	<input type="text" value="495"/>	Occupancy Number	<input type="text" value="650"/>
Number of Entrances	<input type="text" value="1"/>	Number of Exits	<input type="text" value="6"/>	Number of Floors	<input type="text" value="3"/>

APPLICATION FOR A TRANSFER OF LICENSE

5. CURRENT OFFICERS, STOCK OR OWNERSHIP INTEREST

Transferor Entity Name By what means is the license being transferred?

List the individuals and entities of the current ownership. Attach additional pages if necessary utilizing the format below.

Name of Principal	Title/Position	Percentage of Ownership
<input type="text" value="Richard Stavros"/>	<input type="text" value="President"/>	<input type="text" value="76"/>
<input type="text" value="Leland Stein"/>	<input type="text" value="Secretary, Treasurer"/>	<input type="text" value="24"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

6. PROPOSED OFFICERS, STOCK OR OWNERSHIP INTEREST

List all individuals or entities that will have a direct or indirect, beneficial or financial interest in this license (E.g. Stockholders, Officers, Directors, LLC Managers, LLC Members, LLP Partners, Trustees etc.). Attach additional page(s) provided, if necessary, utilizing Addendum A.

- The individuals and titles listed in this section must be identical to those filed with the Massachusetts Secretary of State.
- The individuals identified in this section, as well as the proposed Manager of Record, must complete a CORI Release Form.
- Please note the following statutory requirements for Directors and LLC Managers:
On Premises (E.g. Restaurant/ Club/Hotel) Directors or LLC Managers - At least 50% must be US citizens;
Off Premises (Liquor Store) Directors or LLC Managers - All must be US citizens and a majority must be Massachusetts residents.

CONFIDENTIAL

- If you are a Multi-Tiered Organization, please attach a flow chart identifying each corporate interest and the individual owners of each entity as well as the Articles of Organization for each corporate entity. Every individual must be identified in Addendum A.

Name of Principal	Residential Address	SSN	DOB	Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen	MA Resident
<input type="text" value="David J. Malan"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="Managing Member"/>	<input type="text" value="100"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

APPLICATION FOR A TRANSFER OF LICENSE

6. PROPOSED OFFICERS, STOCK OR OWNERSHIP INTEREST (Continued...)

Name of Principal	Residential Address	SSN	DOB
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen
<input type="text"/>	<input type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
			MA Resident
			<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen
<input type="text"/>	<input type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
			MA Resident
			<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Title and or Position	Percentage of Ownership	Director/ LLC Manager	US Citizen
<input type="text"/>	<input type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No
			MA Resident
			<input type="radio"/> Yes <input type="radio"/> No

Additional pages attached? ☐ Yes ☒ No

CRIMINAL HISTORY

Has any individual listed in question 6, and applicable attachments, ever been convicted of a State, Federal or Military Crime? If yes, attach an affidavit providing the details of any and all convictions.

☐ Yes ☒ No

6A. INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

Does any individual or entity identified in question 6, and applicable attachments, have any direct or indirect, beneficial or financial interest in any other license to sell alcoholic beverages? Yes ☐ No ☒ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Name	License Type	License Name	Municipality

6B. PREVIOUSLY HELD INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

Has any individual or entity identified in question 6, and applicable attachments, ever held a direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages, which is not presently held? Yes ☐ No ☒ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Name	License Type	License Name	

APPLICATION FOR A TRANSFER OF LICENSE

6C. DISCLOSURE OF LICENSE DISCIPLINARY ACTION

Have any of the disclosed licenses listed in question 6A or 6B ever been suspended, revoked or cancelled?

Yes ☐ No ☒ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Date of Action	Name of License	City	Reason for suspension, revocation or cancellation

7. CORPORATE STRUCTURE

Entity Legal Structure

LLC

Date of Incorporation

7/26/24

State of Incorporation

Delaware

Is the Corporation publicly traded? ☐ Yes ☒ No

8. OCCUPANCY OF PREMISES

Please complete all fields in this section. Please provide proof of legal occupancy of the premises.

- If the applicant entity owns the premises, a deed is required.
- If leasing or renting the premises, a signed copy of the lease is required.
- If the lease is contingent on the approval of this license, and a signed lease is not available, a copy of the unsigned lease and a letter of intent to lease, signed by the applicant and the landlord, is required.
- If the real estate and business are owned by the same individuals listed in question 6, either individually or through separate business entities, a signed copy of a lease between the two entities is required.

Please indicate by what means the applicant will occupy the premises

Lease

Landlord Name

Gary Adelson

CONFIDENTIAL

Landlord Phone

Landlord Email

Landlord Address

Lease Beginning Date

11/1/24

Rent per Month

Lease Ending Date

10/31/34

Rent per Year

Will the Landlord receive revenue based on percentage of alcohol sales?

☐ Yes ☒ No

9. APPLICATION CONTACT

The application contact is the person who the licensing authorities should contact regarding this application.

Name:

David Malan

Phone:

Title:

Managing Member

Email:

malan@regenttheatre.com

APPLICATION FOR A TRANSFER OF LICENSE

10. FINANCIAL DISCLOSURE

A. Purchase Price for Real Estate	
B. Purchase Price for Business Assets	
C. Other* (Please specify) Legal	
D. Total Cost	

CONFIDENTIAL

*Other: (i.e. Costs associated with License Transaction including but not limited to: Property price, Business Assets, Renovations costs, Construction costs, Initial Start-up costs, Inventory costs, or specify other costs):"

SOURCE OF CASH CONTRIBUTION

Please provide documentation of available funds. (E.g. Bank or other Financial institution Statements, Bank Letter, etc.)

Name of Contributor	Amount of Contribution
David J. Malan	
Total:	

SOURCE OF FINANCING

Please provide signed financing documentation.

CONFIDENTIAL

Name of Lender	Amount	Type of Financing	Is the lender a licensee pursuant to M.G.L. Ch. 138.
			<input type="radio"/> Yes <input type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No

FINANCIAL INFORMATION

Provide a detailed explanation of the form(s) and source(s) of funding for the cost identified above.

Personally funded, plus credit from sellers for already-collected revenue from future theatre shows.

11. PLEDGE INFORMATION

Please provide signed pledge documentation.

Are you seeking approval for a pledge? ☐ Yes ☐ No

Please indicate what you are seeking to pledge (check all that apply) ☐ License ☐ Stock ☐ Inventory

To whom is the pledge being made?

12. MANAGER APPLICATION

A. MANAGER INFORMATION

CONFIDENTIAL

The individual that has been appointed to manage and control the licensed business and premises.

Proposed Manager Name	Leland Stein
-----------------------	--------------

Date of Birth

SSN

Residential Address

Email

@regenttheatre.com

Phone

Please indicate how many hours per week you intend to be on the licensed premises

40

B. CITIZENSHIP/BACKGROUND INFORMATION

Are you a U.S. Citizen?*

☒ Yes ☐ No *Manager must be a U.S. Citizen

If yes, attach one of the following as proof of citizenship US Passport, Voter's Certificate, Birth Certificate or Naturalization Papers.

Have you ever been convicted of a state, federal, or military crime?

☐ Yes ☒ No

If yes, fill out the table below and attach an affidavit providing the details of any and all convictions. Attach additional pages, if necessary, utilizing the format below.

Date	Municipality	Charge	Disposition

C. EMPLOYMENT INFORMATION

Please provide your employment history. Attach additional pages, if necessary, utilizing the format below.

Start Date	End Date	Position	Employer	Supervisor Name
12-1-2001		Co-Owner / Booking Mgr.	Regent Theatre	
1996-2000		Director of Int'l Sales	Rounder Records	
1990-1995		Marketing Manager	Rounder Records	
1981-1990		Store Manager	Rockit Records	

D. PRIOR DISCIPLINARY ACTION

Have you held a beneficial or financial interest in, or been the manager of, a license to sell alcoholic beverages that was subject to disciplinary action? ☐ Yes ☒ No If yes, please fill out the table. Attach additional pages, if necessary,utilizing the format below.

Date of Action	Name of License	State	City	Reason for suspension, revocation or cancellation

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Manager's Signature

Date	11-20-2024
------	------------

13. MANAGEMENT AGREEMENT

Are you requesting approval to utilize a management company through a management agreement?

☐ Yes ☒ No

If yes, please fill out section 13.

Please provide a narrative overview of the Management Agreement. Attach additional pages, if necessary.

IMPORTANT NOTE: A management agreement is where a licensee authorizes a third party to control the daily operations of the license premises, while retaining ultimate control over the license, through a written contract. *This does not pertain to a liquor license manager that is employed directly by the entity.*

13A. MANAGEMENT ENTITY

List all proposed individuals or entities that will have a direct or indirect, beneficial or financial interest in the management Entity (E.g. Stockholders, Officers, Directors, LLC Managers, LLP Partners, Trustees etc.).

Entity Name	Address	Phone
<input type="text"/>	<input type="text"/>	<input type="text"/>

Name of Principal	Residential Address	SSN	DOB	
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	
Title and or Position	Percentage of Ownership	Director	US Citizen	MA Resident
<input type="text"/>	<input type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB	
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	
Title and or Position	Percentage of Ownership	Director	US Citizen	MA Resident
<input type="text"/>	<input type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB	
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	
Title and or Position	Percentage of Ownership	Director	US Citizen	MA Resident
<input type="text"/>	<input type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB	
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	
Title and or Position	Percentage of Ownership	Director	US Citizen	MA Resident
<input type="text"/>	<input type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

CRIMINAL HISTORY

Has any individual identified above ever been convicted of a State, Federal or Military Crime?

☐ Yes ☐ No

If yes, attach an affidavit providing the details of any and all convictions.

13B. EXISTING MANAGEMENT AGREEMENTS AND INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

Does any individual or entity identified in question 13A, and applicable attachments, have any direct or indirect, beneficial or financial interest in any other license to sell alcoholic beverages; and or have an active management agreement with any other licensees?

Yes ☐ No ☐ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Name	License Type	License Name	Municipality

13C. PREVIOUSLY HELD INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

Has any individual or entity identified in question 13A, and applicable attachments, ever held a direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages, which is not presently held?

Yes ☐ No ☐ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Name	License Type	License Name	Municipality

13D. PREVIOUSLY HELD MANAGEMENT AGREEMENT

Has any individual or entity identified in question 13A, and applicable attachments, ever held a management agreement with any other Massachusetts licensee?

Yes ☐ No ☐ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Licensee Name	License Type	Municipality	Date(s) of Agreement

13E. DISCLOSURE OF LICENSE DISCIPLINARY ACTION

Have any of the disclosed licenses listed in question section 13B, 13C, 13D ever been suspended, revoked or cancelled?

Yes ☐ No ☐ If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Date of Action	Name of License	City	Reason for suspension, revocation or cancellation

13F. TERMS OF AGREEMENT

a. Does the agreement provide for termination by the licensee?

Yes ☐ No ☐

b. Will the licensee retain control of the business finances?

Yes ☐ No ☐

c. Does the management entity handle the payroll for the business?

Yes ☐ No ☐

d. Management Term Begin Date

e. Management Term End Date

f. How will the management company be compensated by the licensee? (check all that apply)

☐ \$ per month/year (indicate amount)

☐ % of alcohol sales (indicate percentage)

☐ % of overall sales (indicate percentage)

☐ other (please explain)

ABCC Licensee Officer/LLC Manager

Signature:

Title:

Date:

Management Agreement Entity Officer/LLC Manager

Signature:

Title:

Date:

APPLICANT'S STATEMENT

I, David J. Malan the: ☐ sole proprietor; ☐ partner; ☐ corporate principal; ☒ LLC/LLP manager
Authorized Signatory
of University Theatre PBLLC d/b/a Regent Theatre
Name of the Entity/Corporation

hereby submit this application (hereinafter the "Application"), to the local licensing authority (the "LLA") and the Alcoholic Beverages Control Commission (the "ABCC" and together with the LLA collectively the "Licensing Authorities") for approval.

I do hereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the Application, and as such affirm that all statements and representations therein are true to the best of my knowledge and belief. I further submit the following to be true and accurate:

- (1) I understand that each representation in this Application is material to the Licensing Authorities' decision on the Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying documents in reaching its decision;
- (2) I state that the location and description of the proposed licensed premises are in compliance with state and local laws and regulations;
- (3) I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in disapproval of the Application;
- (4) I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the ownership as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing Authorities may result in sanctions including revocation of any license for which this Application is submitted;
- (5) I understand that the licensee will be bound by the statements and representations made in the Application, including, but not limited to the identity of persons with an ownership or financial interest in the license;
- (6) I understand that all statements and representations made become conditions of the license;
- (7) I understand that any physical alterations to or changes to the size of the area used for the sale, delivery, storage, or consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the Licensing Authorities;
- (8) I understand that the licensee's failure to operate the licensed premises in accordance with the statements and representations made in the Application may result in sanctions, including the revocation of any license for which the Application was submitted; and
- (9) I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions including revocation of any license for which this Application is submitted.
- (10) I confirm that the applicant corporation and each individual listed in the ownership section of the application is in good standing with the Massachusetts Department of Revenue and has complied with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting of child support.

Signature:



Date: 11/20/24

Title:

Managing Member



Arlington Fire Department Town of Arlington

Administrative Office

411 Massachusetts Ave, Arlington, MA 02474

Phone: (781) 316-3803 Fax: (781) 316-3808

Email: rmelly@town.arlington.ma.us

Ryan Melly
Deputy Fire Chief

Checklist for food sales ownership conversion.

- Did not pass the annual inspection in December of 2024. A re-inspection is scheduled.
- All exit signs and emergency lights must be tested and in good working order
- FACP **must** have annual test paperwork on hand and be free of trouble and alarm signals
- Sprinkler system (if present) shall have current inspection tag
- All extinguishers must be hung with signs and a current inspection tag
- "K" extinguisher mounted and tagged in the kitchen area if using fat to cook
- All exits and exit paths must be in proper working order and free from storage
- No storage of excess combustibles allowed inside building or near exit ways
- Hoods must have current inspection/cleaning sticker attached
- Kitchen extinguishing systems must have current inspection tags
- If Ansul or Sprinklers present FACP must report to monitoring company
- Address must be clearly visible from the street
- Electrical panels must be accessible from floor to ceiling for the entire width
- Call for inspection after all has been completed 781-316-3803

APPLICANT SIGNATURE SECTION:

I have received the above report and acknowledge said inspection. I fully understand that no work is to commence at the premises of the proposed location of which is the subject matter of this inspection report until the license is approved by the Select Board; furthermore, any work done is done at the applicant's risk.

Applicant's Signature: 

Date: 1/9/25

ARLINGTON POLICE DEPARTMENT

Juliann Flaherty
Chief of Police



POLICE HEADQUARTERS
112 Mystic Street
Telephone 781-316-3900

Town of Arlington
MASSACHUSETTS 02474

January 7, 2025

After conferring with other Detectives and conducting a check of the business address and the owner, the Police Department finds no issues with granting a license for The Regent Theatre, 7 Medford Street.

Please call me with any questions.

Thank You,

Bryan Gallagher
Detective Lieutenant
Arlington Police Department

APPLICANT SIGNATURE SECTION:

I have received the above report and acknowledge said inspection. I fully understand that no work is to commence at the premises of the proposed location of which is the subject matter of this inspection report until the license is approved by the Select Board; furthermore, any work done is done at the applicant's risk.

Applicant's Signature: 

Date: 1/9/25

"Proactive and Proud"



Town of Arlington
Inspectional Services Department
23 Maple Street
Arlington, MA 02476
781-316-3390

Inspectionalservices@town.arlington.ma.us

To: Office of the Select Board
From: Michael Ciampa, Building Commissioner
Date: December 6, 2024
RE: Wine and Malt Alcohol License

Please accept the following comments from the Inspectional Services Department regarding the Wine and Malt Alcohol License transfer for the Regent Theatre.

Building

- All building changes need permits.
- All sign changes need approval and a sign permit.
- Window signs cannot exceed 25% of the window.
- Certificate of Occupancy is required.

Plumbing

- All plumbing and gas fitting work requires licensed contractors to obtain permits from this office for their respective trades.

Electrical

- All electrical work requires that permits be obtained from this office for their respective trades by licensed contractors, and any new wiring must conform to the Mass. Electrical Code. Notify the Inspector of Wires in accordance with Chapter 143, Section 3L.

Please note that the Inspectional Services Department has no objection to the issuance of this license.

APPLICANT SIGNATURE SECTION:

I have received the above report and acknowledge said inspection. I fully understand that no work is to commence at the premises of the proposed location of which is the subject matter of this inspection report until the license is approved by the Select Board; furthermore, any work done is done at the applicant's risk.

Applicant's Signature: 

Date: 1/9/25

**OFFICE OF THE SELECT BOARD
TOWN OF ARLINGTON - INSPECTION REPORT**

Report is due at the Office of the Select Board by Friday, January 3, 2025
ONE REPORT IS REQUIRED FROM EACH DEPARTMENT

Location: 7 Medford Street
Applicant's Name: University Theatre PBLLC, David Malan, Owner; Leland Stein, Manager
D/B/A: Regent Theatre
Telephone:
Department: _____ Date: December 6, 2024

MEETING DATE: January 13, 2025

RE: WINE AND MALT LICENSE TRANSFER

Inspected By: Planning – Katie Luczai, Economic Development Coordinator

INSPECTION REPORT SECTION:

This application is for the transfer of license to the new owner of the University Theatre PBLLC D/B/A Regent Theatre. There is no proposed change in use. The business is located in a B3 Village Business District. The use is appropriate for this zoning and business. The Department has no objection to the transfer of a wine and malt license to this business.

APPLICANT SIGNATURE SECTION:

I have received the above report and acknowledge said inspection. I fully understand that no work is to commence at the premises of the proposed location of which is the subject matter of this inspection report until the license is approved by the Select Board; furthermore, any work done is done at the applicant's risk.

Applicant's Signature: 

Date: 1/9/25



Town of Arlington
Department of Health and Human Services
Office of the Board of Health
27 Maple Street
Arlington, MA 02476

Tel: (781) 316-3170
Fax: (781) 316-3175

MEMO

To: Select Board
From: Charlotte Breef-Pilz, Health Compliance Officer
Date: January 8, 2025
RE: Board of Health Comments for Select Board's Meeting on January 13, 2025

Please accept the following as comments from the Office of the Board of Health:

**Regent Theatre – 7 Medford St
Wine and Malt Beverage License**

- This Establishment was issued a Permit to Operate a Food Establishment by the Health Department on January 1, 2025. The permit number is FP-25-71 and it will expire on December 31, 2025.

**Regent Theatre – 7 Medford St
Public Entertainment License**

- The Health Department has no questions or concerns.

**Lucky Dragon – 90 Lowell St
Common Victualler**

- This Establishment has submitted their Plan Review application which has been approved by the Health Department. A conditional approval was given, awaiting the pre-operational inspection.



Town of Arlington, Massachusetts

Public Entertainment License Transfer

Summary:

University Theatre PBLLC, Regent Theatre, David Malan, 7 Medford Street

ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	Regent_Public_Entertainment_App.pdf	Application
▢	Reference Material	Regent_PE_IR_Signed.pdf	Inspection Reports

OFFICE OF THE SELECT BOARD



TOWN OF ARLINGTON
MASSACHUSETTS 02476-4908

**The License applied for, if Granted, cannot be Sold, Transferred or
Surrendered without the authority of the Select Board.**

PUBLIC ENTERTAINMENT APPLICATION

Fee: \$100.00

11/1/24

(Date)

To the Select Board:

The undersigned hereby make application for a
PUBLIC ENTERTAINMENT

Name: David J. Malan

Company: University Theatre PBLLC d/b/a Regent Theatre

Address: 7 Medford Street, Arlington MA 02474

SIGNATURE

*RESIDENCE
(Street and Number)*

David J. Malan

PRINT NAME

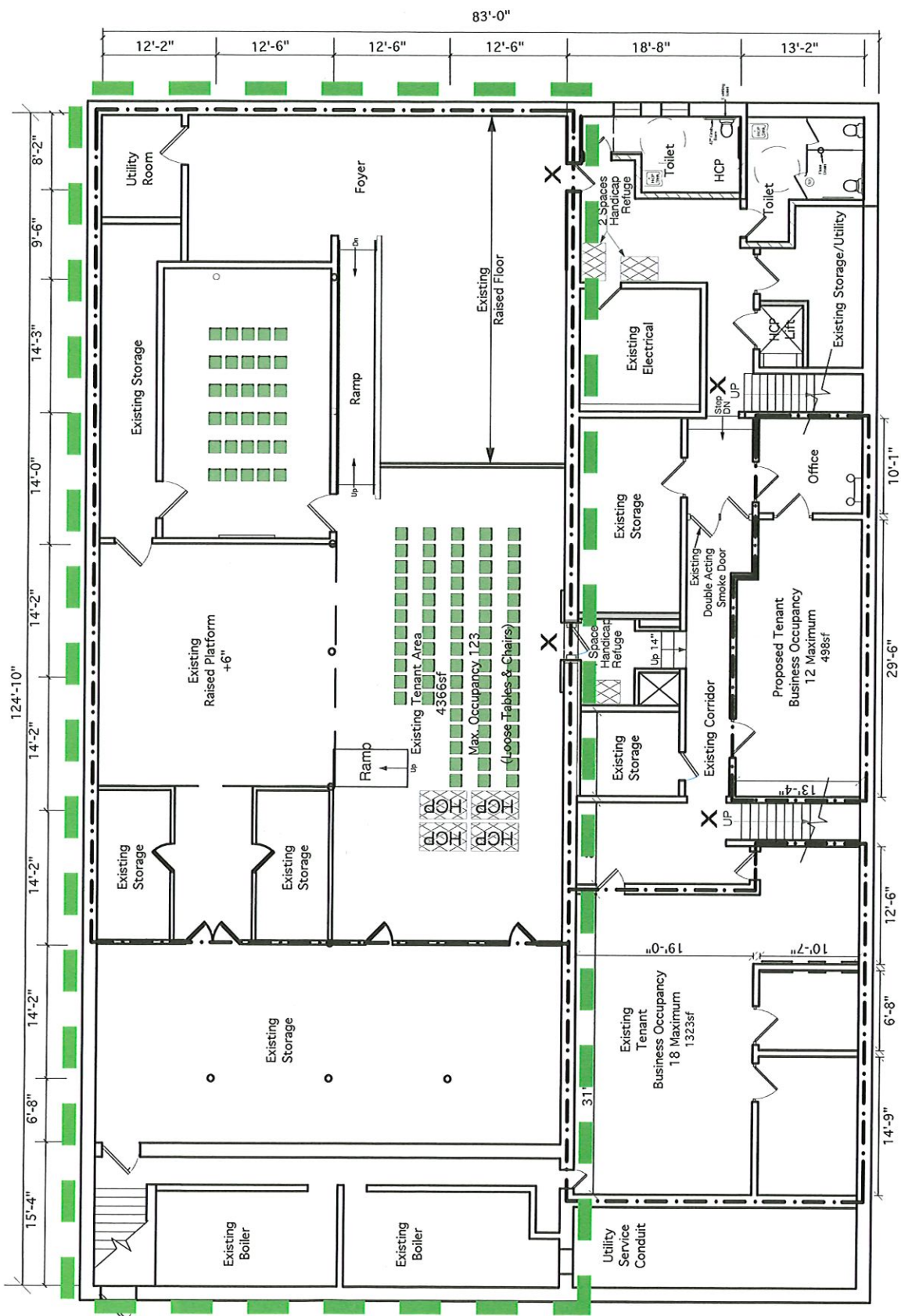
TELEPHONE NUMBER

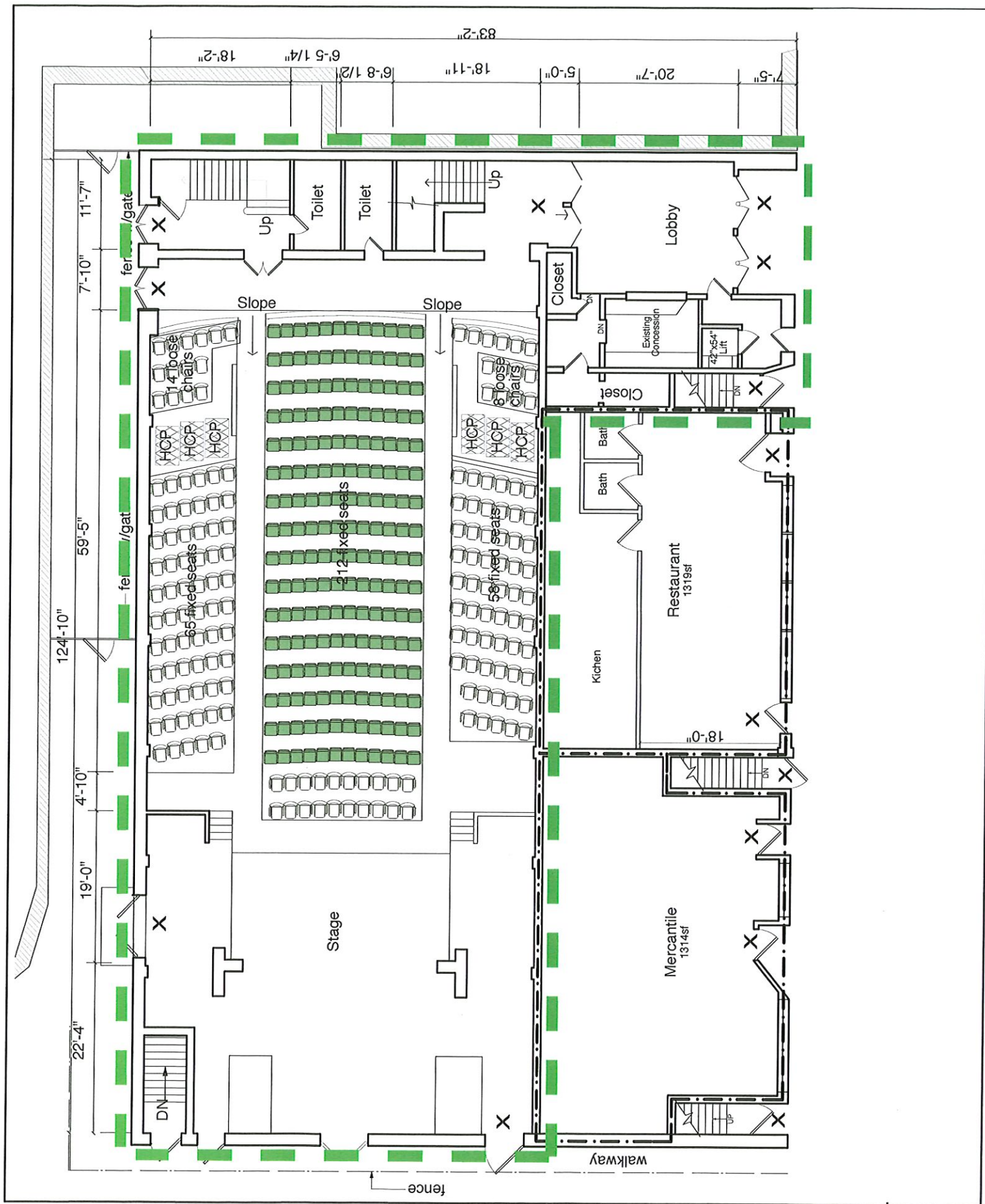
Email

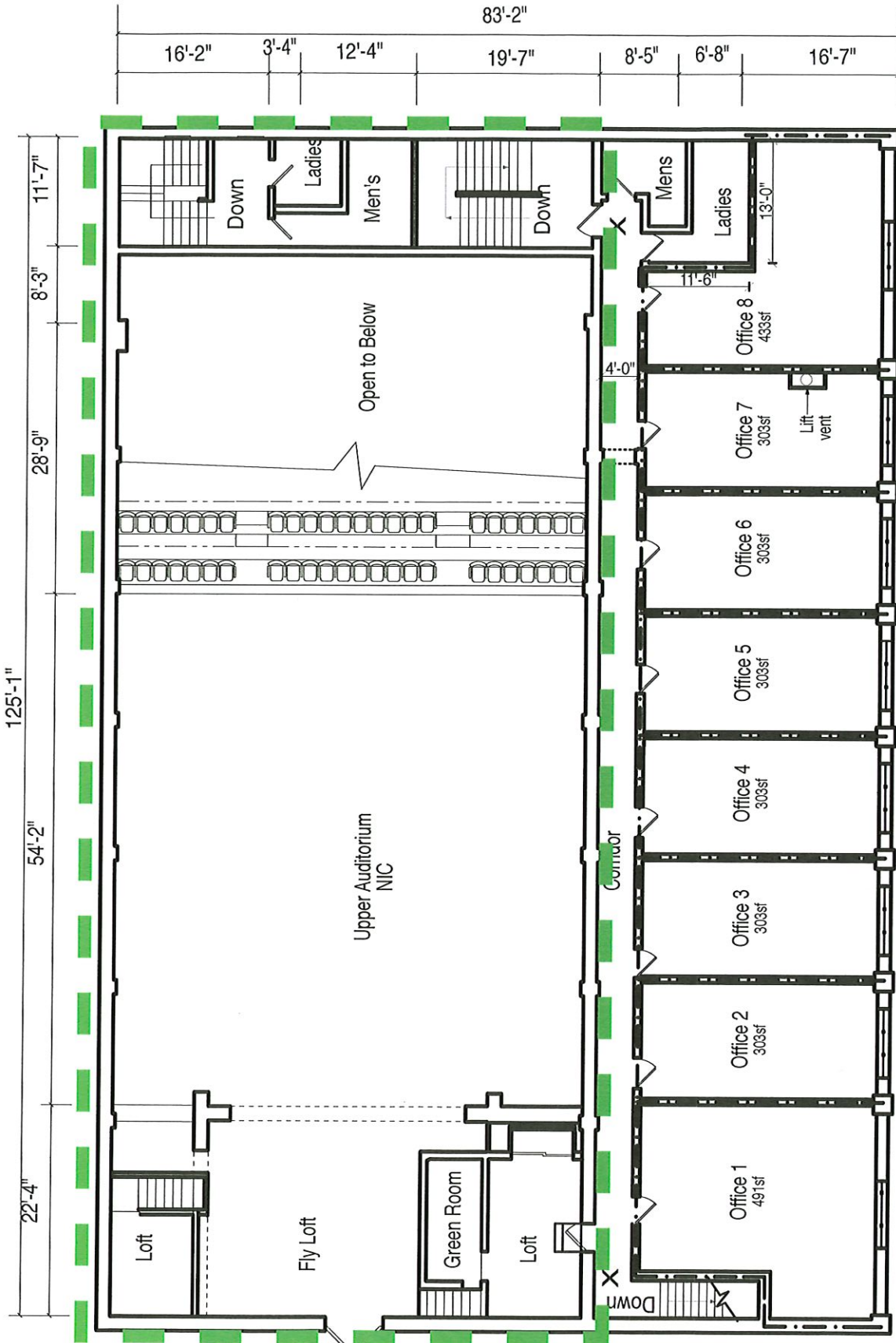
State country of
birth

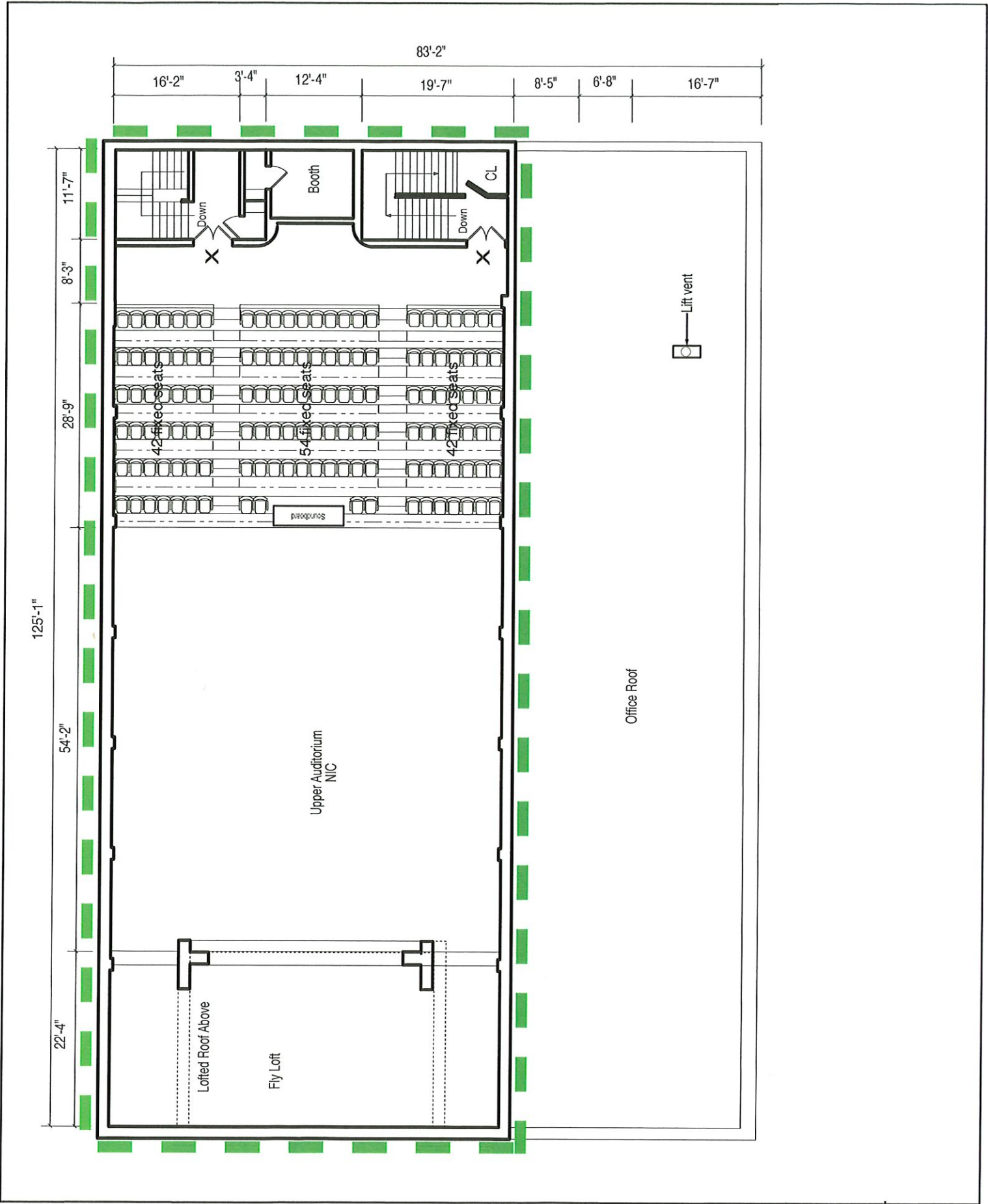
Location of
Licensure 7 Medford Street, Arlington MA 02474

PLEASE ATTACH A LAYOUT OF WHERE THE ENTERTAINMENT WILL BE LOCATED ON THE PREMISE









OFFICE OF THE SELECT BOARD

STEPHEN W. DECOURCEY, CHAIR
DIANE M. MAHON, VICE CHAIR
JOHN V. HURD
LENARD T. DIGGINS
ERIC D. HELMUTH



730 MASSACHUSETTS AVENUE
TELEPHONE
781-316-3020
781-316-3029 FAX

TOWN OF ARLINGTON
MASSACHUSETTS 02476-4908

INSPECTION REPORT

Report is due at the Office of the Select Board by Thursday, December 12, 2024

ONE REPORT IS REQUIRED FROM EACH DEPARTMENT.

Location: University Theatre PBLLC
Applicant's Name: David Malan
D/B/A: Regent Theatre
Department: Sent Via E-mail
Date: 11/27/2024

MEETING DATE: N/A

Inspected By:
RE: Public Entertainment License

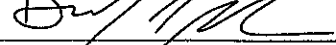
Planning – Katie Luczai, Economic Development Coordinator

INSPECTION REPORT SECTION:

This application is for the transfer of license to the new owner of the University Theatre PBLLC D/B/A Regent Theatre, which is one of the most valued attractions in the town. There is no proposed change in use. The business is located in a B3 Village Business District. The Department has no objection to the issuance of a Public Entertainment license to this business.

APPLICANT SIGNATURE SECTION:

I have received the above report and acknowledge said inspection. I fully understand that no work is to commence at the premises of the proposed location of which is the subject matter of this inspection report until the license is approved by the Select Board; furthermore, any work done is done at the applicant's risk.

Applicant's Signature: 

Date: 1/9/25



Town of Arlington
Department of Health and Human Services
Office of the Board of Health
27 Maple Street
Arlington, MA 02476

Tel: (781) 316-3170
Fax: (781) 316-3175

MEMO

To: Select Board
From: Charlotte Breef-Pilz, Health Compliance Officer
Date: January 8, 2025
RE: Board of Health Comments for Select Board's Meeting on January 13, 2025

Please accept the following as comments from the Office of the Board of Health:

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**Regent Theatre – 7 Medford St
Public Entertainment License**

- The Health Department has no questions or concerns.

**Lucky Dragon – 90 Lowell St
Common Victualler**

- This Establishment has submitted their Plan Review application which has been approved by the Health Department. A conditional approval was given, awaiting the pre-operational inspection.



Town of Arlington, Massachusetts

For Approval: Common Victualler License

Summary:

K Long, INC., Lucky Dragon, Shun Kit Wong, 90 Lowell Street

ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	Lucky_Dragon_CV_Application.pdf	Application
▢	Reference Material	Lucky_Dragon_Inspection_Reports_Signed.pdf	Inspection Reports

RECEIVED BY THE
TOWN OF ARLINGTON
2024 DEC 12 AM 10:50

OFFICE OF THE SELECT BOARD

730 Massachusetts Avenue
Town of Arlington
Massachusetts 02476-4908

(781) 316-3020
(781) 316-3029 fax

\$60.00 Filing Fee

Inspections Dept. at 51 Grove St. must review completed application before returning to this office.

APPLICATION

To the Licensing Authorities of the Town of Arlington

The Undersigned hereby makes application for a

- ☒ **COMMON VICTUALLER LICENSE (Eat In)**
☐ **FOOD VENDOR LICENSE (Take Out Only)**

Location 90 LOWELL STREET, ARLINGTON, MA 02474

Name of Applicant SHUN KIT WONG

Corporate Name (if applicable) K LONG, INC.

D/B/A LUCKY DRAGON

Date 11/19/2024

I/We hereby agree to conform in all respects to the conditions governing such License as printed in the By-Laws of the Town, and such other rules and regulations as the Selectmen may establish. With the signing of this application, the applicant acknowledges that:

- A. It is understood that the Board is not required to grant the license.
- B. no work is to commence at the premises of the proposed location which is the subject matter of this application until the license is approved by the Select Board, and, furthermore, any work done is done at the applicant's risk, and
- C. in the event of a proposed sale of a business requiring a Common Victualler License, an application for a transfer of said license will be deemed to be an application for a new license (subject to the rules and regulations herein contained), and the owner of such business shall be required to file with the Select Board a thirty day notice of his intention to sell same before such application will be acted upon by the Select Board.
- D. That the license is subject to revocation if the holder of the license does not comply with Town By-Laws or the Rules and Regulations of the Board.

Print Name SHUN KIT WONG

Signature Name Shun Wong

Phone (Home) _____ (Business) _____

Email _____

INFORMATION RELATIVE TO APPLICATION

Breakfast _____
Yes ___ No ☒
Lunch _____
Yes ☒ No ___
Dinner _____
Yes ☒ No ___

Do you own the property? Yes ___ No ☒ Tenant at Will _____ Lease ☒ (years)

Hours of Operation:

Day TUES., WED., THURS. Hours 11AM - 1AM
Day FRIDAY & SATURDAY Hours 11AM - 1AM
Day SUNDAY Hours 11AM - 1AM

Floor Space 800 Sq. Ft. Seating Capacity (if any) 4
Parking Capacity (if any) shared spaces Number of Employees 4
List Cooking Facilities (and implements)
DEEP DRYER, GAS WOK AND GAS RICE COOKER

Will a food scale be in use for sale of items to the public? Yes ___ No ☒
Will catering services be provided by you? Yes ___ No ☒

The following items must be submitted with the application:

1.	Layout Plan of Facility & Fixtures	Date Received _____
2.	Site Plan (obtained at Bldg. Dept., 51 Grove St.)	Date Received _____
3.	Outside Facade and Sign Plan (dimensions, color)	Date Received _____
4.	Menu	Date Received _____
5.	Maintenance Program	Date Received _____

If the facilities are not yet completed, provide estimated cost of work to be done \$ _____

FOR OFFICE USE ONLY

Scheduled Hearing when Application will be presented to Select Board for approval:

Date _____ Time _____
Board Action: Approved Yes _____ No _____

APPLICANT'S RESUME

Food Business Experience of Applicant

From	MANAGER	to	MANAGER
Employee		D/B/A	LUCKY DRAGON
Sole Owner		Location	ARLINGTON MA
Partnership		Type Food	CHINESE FOOD
Corporation	KEN LONG, INC.	Number of Employees	2

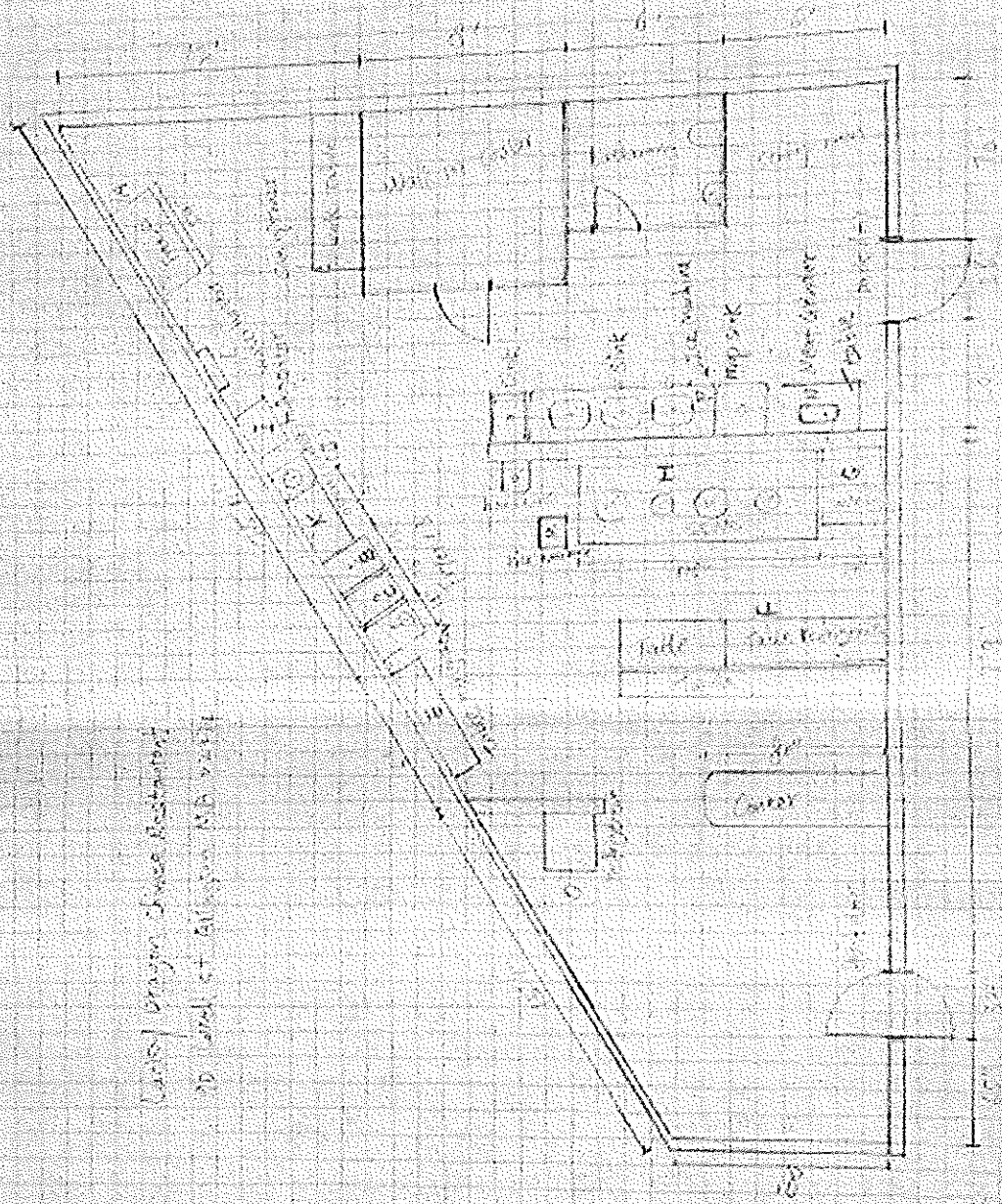
From	FRONT DESK	to	CASHIER
Employee		D/B/A	LUCKY DRAGON
Sole Owner		Location	ARLINGTON MA
Partnership		Type Food	CHINESE FOOD
Corporation	KEN LONG, INC.	Number of Employees	2

List any other information that you feel will assist in the review of this application.

I, SHUN KIT WONG, WAS THE OWNER OF LUCKY DRAGON LOCATED AT 14 MEDFORD STREET,
ARLINGTON, MA. I HAVE EXPERIENCE OF HOW TO RUN THE BUSINESS.

I, NANCY CHEN, THE FRONT DESK OF MALDEN SENIOR CENTER. I HAVE EXPERIENCE OF HANDLING
THE FRONT. I WAS THE CASHIER OF LUCKY DRAGON LOCATED AT 14 MEDFORD STREET, ARLINGTON,
MA.

Carol Dragon Chase Restaurant
 20 and at Highway 100 West



A: Freezer True Model: T-491

B.C: Fryer Imperial Model: 1FS 40 OP

D: Fryer Pitco Model: S414-S

E: Refrigerator Beverage Air Model: WTP-60

F: Refrigerator Turbo Air Model: TWR-285D

G: Oven Sanjiang Model: CWSH2430-S

H: Chinese Stove Win Model: WR-400 (Win Restaurant Supplies Inc)

I: Refrigerator Turbo Air Model: CMUF-28

J: Rice Cooker Rinnai Model: RER-55AS-N

K: Oven Southbend Model: P36-RAD (salamander
broiler)

L: Water heater Arizon Model: NPE-240 S2 (NG)

M: Rice Warmer Zo Jirushi Model: THA-803

N: Meat Grinder Univex Model: MG8912

O: Refrigerator Turbo air Model: TGM-14RV

P: Ice Machine Rovsun Model: RS-110

Exhibit A – Premises

800 +/- sf space labeled unit #2

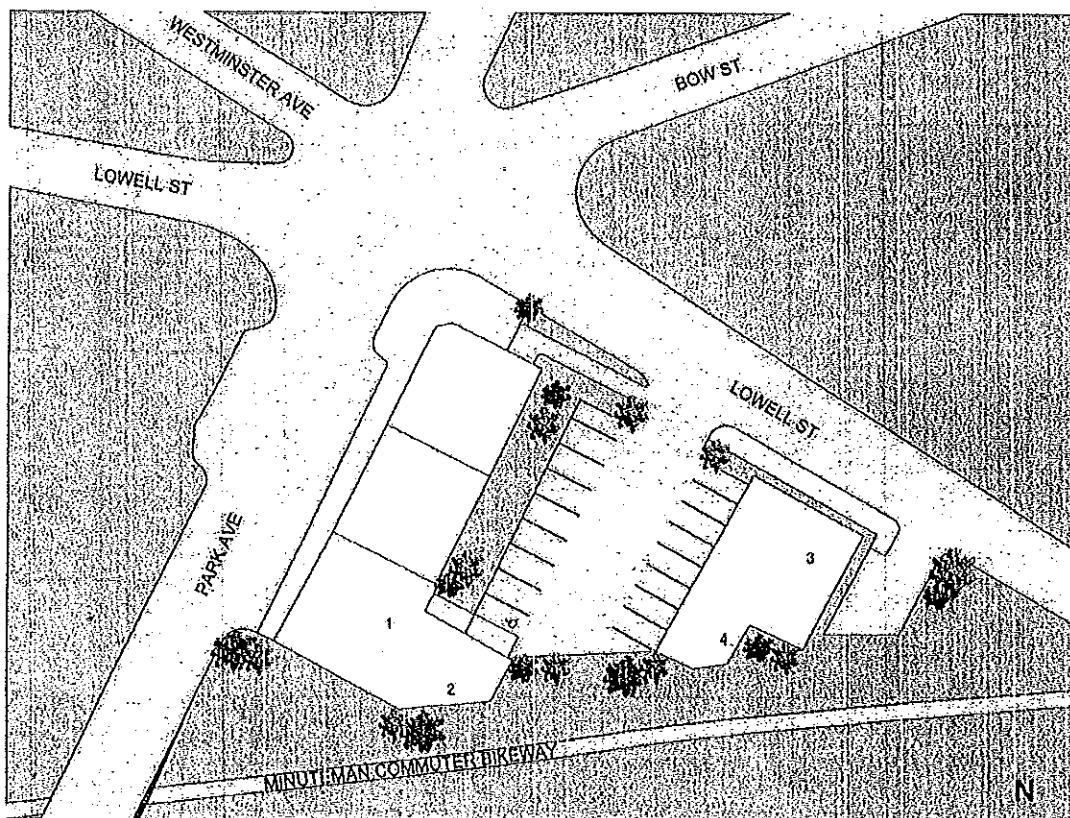


Exhibit A

Landlord's Work

DON NOODLE 烏冬麵

(Japanese thick soft noodle)	Reg
Vegetable or Pork	14.95
Chicken or Beef	14.95
Shrimp	15.95
Spicy Dragon Noodle	15.95
(Spicy thick noodle, stir-fried with chicken or pork or shrimp or beef and vegetables)	
Three Delight Udon Noodle	15.95

HOW FOON 河粉

(Rice flour flat noodle)	Reg
Vegetable	13.95
Beef or Chicken or Pork	14.95
Shrimp Chow Foon	15.95
Beef Pepper with Black Bean Sauce	14.95

AD THAI 泰國西

(All pad thai noodle took with egg shredded carrot and bean sprout in peanut sauce)	
Vegetable or Fried Tofu or Chicken	13.95
Jumbo Shrimp	13.95
House Special (Jumbo Shrimp and Chicken)	15.95
Pad See U (No Peanut) (Choice Vegetable, Chicken)	15.95

HOW MEIN / CHOP SUEY 雜碎

(Chow Mein is shredded celery, onion, and bean sprouts cooked in a light sauce, serve with crunchy noodle)	
(Chop Suey is chunks of celery, bean sprout, onions)	
Small	Reg
Meatless, Pork or Chicken	10.95 12.95
Beef or Shrimp (Small Shrimp)	10.95 12.95
Subgum Style	Extra 1.00 1.50
Chicago Style	Extra 1.00 1.50

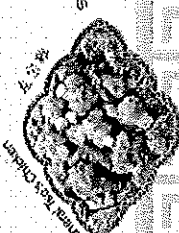
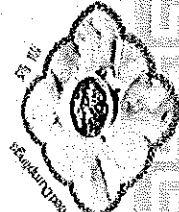
Egg Foo Young 芙蓉蛋

(Chinese omelet with gravy)	
Choice of:	
Meatless, Pork or Chicken	13.95
Shrimp (Small Shrimp)	14.95

OO SHI 木須

(Served with 4 pancakes)	
(Shredded cabbage, egg, wood ear, and carrot tossed in hoisin sauce.)	
Moo Shi Vegetable or Pork	15.95
Moo Shi Chicken or Beef	16.95
Moo Shi Shrimp (Small Shrimp)	17.95

Hot & Spicy • Meal Tax 7%



OMBINATION PLATES FOR LUNCH AND DINNER

Serve with pork fried rice or white rice. Choice of one appetizer. Except (C20, C21, and C22)

Egg Roll	Spring Roll	Chicken Finger
Crab Rangoon	Boneless Rib	Fried Shrimp
Chicken Teriyaki	Beef Teriyaki	Chicken Wings
Chicken Teriyaki	Beef Teriyaki	Chicken Wings
House Fried Rice \$5.00		
Plain Fried Rice or Brown Rice \$2.00 extra		
Pork, Chicken, Beef, or Vegetables Lo Mein \$3.50 extra		
You may add additional above appetizer for \$3.95 each:		
Egg Roll, Spring Roll, Chicken Finger, Crab Rangoon, Boneless Rib, Fried Shrimp, For \$4.50 each:		
Chicken Teriyaki, Beef Teriyaki, Chicken Wings.		

(Combination and Rice Plate are not available on New Year's Eve)

	(Lunch) 11:30-3pm	(Dinner) After 3pm
C1. Pork Chow Mein	11.95	13.95
C2. Chicken Chow Mein	11.95	13.95
C3. Pork Egg Foo Young	11.95	13.95
C4. Lobster Sauce	11.95	13.95
C5. Moo Goo Gai Pan (Chicken w. Mix Veg)	12.95	14.95
C6. Kung Pao Chicken with Peanut	12.95	14.95
C7. Chicken w. Broccoli	12.95	14.95
C8. Sweet and Sour Chicken	12.95	14.95
C9. General Tso's Chicken	12.95	14.95
C10. Orange Chicken	12.95	14.95
C11. Sesame Chicken	12.95	14.95
C12. Chicken w. Cashew Nuts	12.95	14.95
C13. Beef with Broccoli	12.95	14.95
C14. Beef w. Pepper and Onion	12.95	14.95
C15. Beef w. Mushroom and Onion	12.95	14.95
C16. General Tofu	12.95	14.95
C17. Mix Vegetables	12.95	14.95
C18. Shrimp with Mix Vegetables	13.95	15.95
C19. Mala Crispy Chicken	13.95	15.95
C20. Any 2 Choice Above Appetizers w. Pork Rice	11.95	13.95
C21. Any 2 Choice Above Appetizers w. Pork Lo Mein	12.95	14.95
C22. Any 2 Choice Above Appetizers w. French Fries	12.95	13.95

You may create your own dinner plate, ask for detail. Before placing your order, please inform your server if 3 person in your party has a food allergy.

CHINATOWN RICE PLATE 碗頭飯

Serve over White Rice. You may substitute White Rice for Pork Fried Rice for \$2.00 extra

Beef or Pork R1	Mg Po Tofu	12.95
Beef or Pork R2	Baby Shrimp with Tofu	12.95
Beef or Pork R3	Fish Fillet with Fried Tofu	12.95
Beef or Pork R4	Tomato with Scrambled Eggs	12.95
Beef or Pork R5	Shrimp with Scrambled Eggs	12.95
Beef or Pork R6	Shrimp Bean with Beef	12.95
Beef or Pork R7	Tofu with Beef	12.95
Beef or Pork R8	Steak Fillet w. Pepper & Onion in Black Bean Sauce	12.95
Beef or Pork R9	Steak Fillet w. Mix Vegetables	12.95
Beef or Pork R10	Spicy Sautéed and Peppery Pork Chop	12.95
Beef or Pork R11	Peking Style Pork Chop	12.95
Beef or Pork R12	Spicy Sautéed and Peppery Chicken	12.95
Beef or Pork R13	Curry Chicken	12.95
Beef or Pork R14	Curry Fish Fillet	12.95

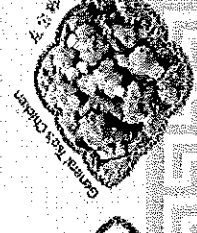
TEA AND COFFEE 茶, 咖啡

Toppings:	
Boba or Milk Foam .50ea	
Classic Milk Tea	4.95
Classic Milk Tea w. Boba	5.50
Green Tea	4.95
Green Tea w. Boba	5.50
Passion Fruit Green Tea	5.50
Green Tea w. Lime	5.50
Brown Sugar Milk Tea w. Boba	5.95
Brown Sugar Matcha w. Boba	5.95
Matcha Latte	4.95
Thai Tea	4.95
Vietnamese Iced Coffee	4.95
Vietnamese Iced Coffee w. Milk Foam	5.50

EVERAGES 飲品

Can of Soda (Coke, Diet Coke, Sprite, Ice Tea, Ginger Ale)	1.85
Spring Water	1.85

* These items may be served raw or undercooked. Consuming raw or undercooked meats, poultry, seafood, shellfish or eggs may increase your risk of food borne illness.



Lucky Dragon

CHINESE RESTAURANT



781-648-8828

www.ArlingtonLuckyDragon.com

90 Lowell St
(Arlington Height)

Arlington, MA 02474

All Day Delivery

\$3.50 charge within 2 miles

\$4.50 charge over 2 miles

OPEN HOURS

Closed Mondays

Tues, Wed, Thurs: 11:30am - 9:30pm

Fri, Sat: 11:30am - 10:30pm

Sun: 12:00am - 9:30pm



No Personal Checks Accepted

Gift Certificate Available!

APPETIZERS 頭拾

	Small	Reg
Egg Rolls	4.25	6.95
Meatless Spring Rolls	4.25	6.95
Chicken Fingers	8.95	12.95
Chicken Wings	9.95	13.95
Crab Rangoon	9.95	12.95
Chicken Teriyaki (White Meat)	10.95	13.95
Beef Teriyaki	10.95	13.95
Peking Peking	8.95	11.95
Boneless Ribs	9.95	12.95
BBQ Spare Ribs	10.95	15.95
Pork Strip or Ends	9.95	13.95
Fried Shrimp	9.95	10.95
French Fries	4.95	5.95
Edamame		9.95
Scallion Pancake	8.50	
Pork Bun	(3) 18.95	
House Special Wings	15.95	
Pu Pu Platter For One	19.95	23.95
<i>(Hot Chili, Chicken Fingers, Crab Rangoon, Fried Shrimp, Boneless Ribs, Chicken Wings and Beef Teriyaki)</i>		

SOUPS 湯水

	Small	Large
Pork Strip Wonton Soup	5.95	8.95
Hot and Sour Soup (No Meat, with Egg)	5.95	8.95
Egg Drop Soup	5.95	8.95
Vegetable Soup	5.95	8.95
Chicken Rice or Noodle Soup	5.95	8.95
Pork Strip with Angel Noodle Soup	13.95	
Special Udon Noodle Soup	14.95	

RIED RICE 炒飯

	Small	Reg
Meatless or Plain	7.95	9.95
Egg or Vegetable or Pork	8.95	11.95
Chicken or Beef	9.95	12.95
Ham Fried Rice	9.95	12.95
Shrimp	10.95	13.95
House Special	11.95	14.95
<i>(Combination of pork, chicken, ham, shrimp, carrot, onions, peas and zucchini)</i>		
White Rice	2.00	4.00
Brown Rice	3.00	5.00
Curry Vegetable Fried Rice	9.95	12.95
Curry Chicken Fried Rice	10.95	13.95
Yang Chow Fried Rice		15.95

PAN FRIED NOODLE 炒麵

	Small	Reg
Mixed Vegetables		13.95
Chicken w. Mixed Vegetables		14.95
Beef w. Mixed Vegetables		15.95
Three Delights (Lamb-chops, chicken, beef w. vegetables)		15.95

LO MEIN 撈麵

	Small	Reg
<i>(Soft noodle stir-fried with shredded vegetables)</i>		
Vegetable, Pork or Chicken	8.95	13.95
Beef	9.95	14.95
Garlic Noodle	8.95	13.95
Shrimp	10.95	15.95
House Special	10.95	15.95
<i>(Combination of pork, chicken, ham, and shrimp stir-fried with noodles)</i>		
Curry Lo Mein	10.95	15.95
Marco Polo Delights		19.95
<i>(Hot & spicy shrimp, chicken with lobster, beef, and the pan-fried noodle on the side)</i>		
Spicy Beijing Noodle with Soft Noodle (Spicy meat sauce)	14.95	

VEGETARIAN MEAT ENTREES 齋餐肉

<i>(Our vegetarian entree substitution is not real meat, but it tastes like meat, and taste meat, it has no cholesterol and 100% soy proteins)</i>		
Vegetarian General Gai's Chicken	18.95	
Vegetarian Sesame Chicken	18.95	
Vegetarian Crispy Orange Chicken	18.95	
Vegetarian Chicken with Broccoli	18.95	
Vegetarian Chicken with Vegetables	18.95	
Vegetarian Szechuan Chicken with Peanuts	18.95	
Vegetarian Mala Crispy Chicken	18.95	

VEGETABLES & TOFU 蔬菜或豆腐

	Small	Reg
Vegetable Delight	9.95	13.95
<i>(Hot & spicy with peanut, broccoli, hot chili, and pork belly in a spicy sauce)</i>		
Family Tofu	9.95	13.95
<i>(Fried tofu stir-fried with broccoli, peanut, hot chili, mushroom, in a spicy brown sauce)</i>		
Mix Vegetable	9.95	13.95
String Bean Szechuan Style	9.95	13.95
Yu Slang Vegetable w. Garlic Sauce	9.95	13.95
Broccoli w. Oyster Sauce	8.95	12.95
Tofu w. Shrimp (Small shrimp)	10.95	14.95
Ma Po Tofu	10.95	14.95
<i>(Hot sauce, hot, dried pepper, cook in a spicy sauce)</i>		
Buddha's Delight	14.95	
<i>(Pineapple, broccoli, mushrooms, peppers, carrots and some Chinese vegetables stir-fried with a sauce)</i>		
General Gai's Tofu		14.95
Sesame Tofu		14.95

ANGEL HAIR NOODLE 米粉

<i>(Thin noodle stir-fried with shredded vegetables)</i>		
Vegetable or Pork	12.95	
Chicken or Beef	14.95	
Shrimp	14.95	
Singapore	15.95	
<i>(Thin noodle, stir-fried with meat, pork, shrimp, egg, shredded vegetables, and seasonings in a curry flavored)</i>		
Cantonese (Shrimp, pork & egg with vegetables)	15.95	

SEAFOOD 海鮮

	Small	Reg
Lobster Sauce	9.95	13.95
Shrimp w. Scramble Eggs	10.95	14.95
Kung Pao Shrimp w. Peanuts	12.95	17.95
Jumbo Shrimp w. Broccoli	12.95	17.95
Jumbo Shrimp w. Lobster Sauce	12.95	17.95
Jumbo Shrimp w. Cashew Nuts	12.95	17.95
Jumbo Shrimp with Vegetable	12.95	17.95
Curry Jumbo Shrimp	12.95	17.95
Squid w. Mixed Vegetables	12.95	17.95
Squid w. Broccoli	12.95	17.95
Curry Fish Fillet	12.95	17.95
Sweet & Sour Jumbo Shrimp		14.95

BEEF AND PORK 牛肉或豬肉

	Small	Reg
Curry Beef	12.95	16.95
Beef w. Broccoli	12.95	16.95
Beef w. Cashew Nuts	12.95	16.95
Beef w. Ginger & Scallions	12.95	16.95
Beef w. Peapod	12.95	16.95
Beef w. Mushroom & Onions	12.95	16.95
<i>(Slices of beef stir-fried with fresh mushrooms and onion in a brown sauce)</i>		
Pepper Steak & Onions		12.95
<i>(Slices of beef stir-fried with onion, onion, and a handful of black bean sauce)</i>		
Kung Pao Beef with Peanuts	12.95	16.95
<i>(Slices of beef stir-fried with dried pepper, onion, carrots, and peanuts in a spicy sauce)</i>		
Beef with String Beans	12.95	16.95
<i>(Slices of beef stir-fried with string beans in a flavorful sauce)</i>		
Beef with Mixed Vegetables	12.95	16.95
Pork with String Beans	12.95	16.95
Pork w. Mixed Vegetables	12.95	16.95
<i>(Slices of pork stir-fried with string beans in a brown spicy sauce)</i>		
Yu Slang Garlic Pork or Beef w. Garlic Sauce	12.95	16.95

TEAM CUISINE 白灼

<i>(Serve with a ginger-soy garlic sauce on aside for dipping)</i>		
Steam Fresh Mix Vegetables		12.95
Steam Chicken w. Mix Vegetables		15.95
Steam Jumbo Shrimp w. Mix Vegetables		17.95
Steam Jumbo Shrimp & Chicken w. Mix Vegetables		17.95



HEF SPECIALS 廚師推薦

Four Hoppies	19.95
<i>(Chicken, shrimp, beef, pork, and fried with special vegetables)</i>	
Crispy Orange Flavored Chicken (White Meat)	16.95
Mongolian Beef	17.95
<i>(Beef with onion and scallion in brown sauce)</i>	
Orange Flavored Beef	17.95
<i>(Crispy beef with onion in a orange flavor sauce)</i>	
Sesame Chicken (White Meat)	16.95
Sesame Beef	17.95
General Gau's Chicken (White Meat)	16.95
Spicy Hunan Beef, Chicken, or Pork	17.95
<i>(Choice of chicken, pork or beef, hot sauce and garnish with broccoli)</i>	
Fish Fillet with Fried Bean Curd	18.95
Spicy Peppery & Salt Pork Chop	18.95
Spicy Peppery & Salt Fish Fillet	18.95
Spicy Peppery & Salt Jumbo Shrimp	19.95
Mala Crispy Chicken	17.95
<i>(Marinated chicken, lightly coated with flour, deep-fried with crisp, then sautéed with onion, mushroom and green peppers)</i>	
Spicy Peppery & Salt Chicken	16.95
Szechuan Boiled Fish	19.95
Spicy Twice Cooked Pork	16.95
In Sweet and Sour Sauce	19.95

CULINARY 雞肉

	Small	Reg
Curry Chicken	10.95	14.95
Chicken w. Cashew Nuts	10.95	14.95
Chicken w. Mushroom & Onion	10.95	14.95
Chicken w. Broccoli	10.95	14.95
<i>(Slices of chicken breast stir-fried with broccoli in a garlic honey sauce)</i>		
Moo Goo Gai Pan	10.95	14.95
<i>(Slices of chicken breast stir-fried with rice, vegetables, mushrooms in a light sauce)</i>		
Kung Pao Chicken with Peanuts	10.95	14.95
<i>(Slices of chicken breast stir-fried with dried pepper, carrots, peanuts, and garnish in a spicy-sour sauce)</i>		
Chicken with Black Bean Sauce	10.95	14.95
<i>(Chicken breast stir-fried with pepper and onion in a flavorful black bean sauce)</i>		
Yu Slang Chicken w. Garlic Sauce	10.95	14.95
Sweet and Sour Chicken	14.95	
<i>(Marinated chicken, served with dried pepper, pineapple and sweet & sour sauce)</i>		

Maintenance Program

Daily:

Kitchen appliances will be fully washed and cleaned.

AH floors will be washed, wiped and vacuumed multiple times a day.

Bathroom will be cleaned and disinfected multiple times a day.

Teamaker will be cleaned.

Perishables and spoilage will be examined.

Two or more times per week:

Dumpster located at the left of the premises will be emptied once a week or more frequently if needed. Refrigerators will be cleaned.

Windows will be cleaned.

Monthly:

Exterminate insects and/or rodents as needed. Insect control service will be used.

Walls will be cleaned.

The front exterior of the restaurant will be cleaned.

Six-month intervals:

Freezers will be cleaned (more often if needed)

Cooking hoods will be cleaned (more comprehensive maintenance of cooking hood will be performed on 6-month basis).

Miscellaneous:

Service contract will be negotiated for the maintenance of heating and AC systems.

187"

Total
SQF
18

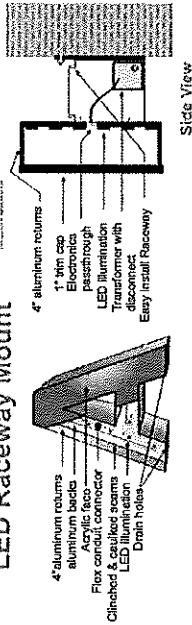
LUCKY DRAGON CHINESE RESTAURANT 781-648-8828

Specifications:

- * 040 white back, matt black aluminum letter boxes 4" return w/ 1" black trim cap.
- * 1/8" red acrylic face.
- * 1/8" white acrylic face
- * Apply red and digital print vinyl
- * Internal white led lighting illumination, UL Listed.
- * Letter boxes to be mounted on the raceway.

Sign installed in location shown on attached photo
This sign is intended to be installed in accordance with the requirement of Article 600 of the National Electrical Code and/or other applicable local code. This includes proper grounding and bonding of the sign

LED Raceway Mount

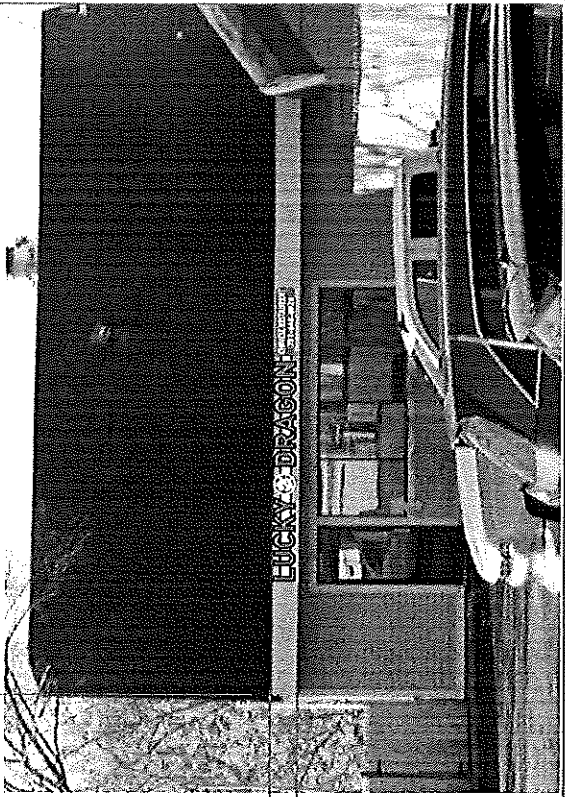


486"

Existing



Proposed



Internally illuminated light box:

Customer: Shun Wong
Company: Lucky Dragon
Phone: 617-981-0543
Original: 09/01/2022 Revision:
Estimate(\$0 Means No Price):

Address: 90 Lowell St.
City: Arlington
State/Zip: MA 02474
File Name: Lucky Dragon
Job No: 04480

This image is for general reference only, and may not accurately represent the actual product.

The undersigned, in his or her individual and official capacity, hereby certifies that the quoted prices, designs, specifications, terms, and conditions are accepted. New CC Sign is authorized to perform the work as specified.

NEW CC SIGN

259 Quincy Ave. Quincy, MA 02169
TEL: 617.479.8552 / 617-210-7982
Fax: 617.479.4852
ccsignboston@gmail.com
NEW CC Sign ALL RIGHTS RESERVED

X _____ Date _____

Print Name _____



Town of Arlington
Inspectional Services Department
23 Maple Street
Arlington, MA 02476
781-316-3390

Inspectionalservices@town.arlington.ma.us

To: Office of the Select Board
From: Michael Ciampa, Building Commissioner
Date: December 18, 2024
RE: Common Victualler License

Please accept the following comments from the Inspectional Services Department regarding the Common Victualler License application for Lucky Dragon.

Building

- All building changes need permits.
- All sign changes need approval and a sign permit.
- Window signs cannot exceed 25% of the window.
- Certificate of Occupancy is required.

Plumbing

- All plumbing and gas fitting work requires licensed contractors to obtain permits from this office for their respective trades.

Electrical

- All electrical work requires that permits be obtained from this office for their respective trades by licensed contractors, and any new wiring must conform to the Mass. Electrical Code. Notify the Inspector of Wires in accordance with Chapter 143, Section 3L.

Please note that the Inspectional Services Department has no objection to the issuance of this license.

APPLICANT SIGNATURE SECTION:

I have received the above report and acknowledge said inspection. I fully understand that no work is to commence at the premises of the proposed location of which is the subject matter of this inspection report until the license is approved by the Select Board; furthermore, any work done is done at the applicant's risk.

Applicant's Signature: Shun Wong

Date: 01/09/25

ARLINGTON POLICE DEPARTMENT

Juliann Flaherty
Chief of Police



POLICE HEADQUARTERS
112 Mystic Street
Telephone 781-316-3900

Town of Arlington
MASSACHUSETTS 02474

January 7, 2025

After conferring with other Detectives and conducting a check of the business address and the owner, the Police Department finds no issues with granting a license for Lucky Dragon, 90 Lowell Street.

Please call me with any questions.

Thank You,

Bryan Gallagher
Detective Lieutenant
Arlington Police Department

APPLICANT SIGNATURE SECTION:

I have received the above report and acknowledge said inspection. I fully understand that no work is to commence at the premises of the proposed location of which is the subject matter of this inspection report until the license is approved by the Select Board; furthermore, any work done is done at the applicant's risk.

Applicant's Signature: Shun Wong

Date: 01/09/25

"Proactive and Proud"



Arlington Fire Department Town of Arlington

Administrative Office
411 Massachusetts Ave, Arlington, MA 02474
Phone: (781) 316-3803 Fax: (781) 316-3808
Email: rmelly@town.arlington.ma.us

Ryan Melly
Deputy Fire Chief

Checklist for food sales ownership conversion.

- 90 Lowell St has an open Building Permit. They have renovated their entire kitchen. I was there on 12/11 for an inspection but they do not have gas hooked up yet so we could not run the fire alarm and Ansul system tests.
- All exit signs and emergency lights must be tested and in good working order
- FACP **must** have annual test paperwork on hand and be free of trouble and alarm signals
- Sprinkler system (if present) shall have current inspection tag
- All extinguishers must be hung with signs and a current inspection tag
- "K" extinguisher mounted and tagged in the kitchen area if using fat to cook
- All exits and exit paths must be in proper working order and free from storage
- No storage of excess combustibles allowed inside building or near exit ways
- Hoods must have current inspection/cleaning sticker attached
- Kitchen extinguishing systems must have current inspection tags
- If Ansul or Sprinklers present FACP must report to monitoring company
- Address must be clearly visible from the street
- Electrical panels must be accessible from floor to ceiling for the entire width
- Call for inspection after all has been completed 781-316-3803

APPLICANT SIGNATURE SECTION:

I have received the above report and acknowledge said inspection. I fully understand that no work is to commence at the premises of the proposed location of which is the subject matter of this inspection report until the license is approved by the Select Board; furthermore, any work done is done at the applicant's risk.

Applicant's Signature: Shun Wong

Date: 01/09/25

**OFFICE OF THE SELECT BOARD
TOWN OF ARLINGTON - INSPECTION REPORT**

Report is due at the Office of the Select Board by **Friday, January 3, 2025**
ONE REPORT IS REQUIRED FROM EACH DEPARTMENT

Location: 90 Lowell Street
Applicant's Name: K Long Inc., Shun Kit Wong
D/B/A: Lucky Dragon
Telephone: (617)-981-0543
Department: Sent Via E-mail

Date: December 17, 2024

MEETING DATE: January 13, 2025

RE: COMMON VICTUALLER LICENSE

Inspected By: Planning – Katie Luczai, Economic Development Coordinator

INSPECTION REPORT SECTION:

The proposed business is located at the former site of Sun's Chinese Kitchen in a B2 Neighborhood Business District. The proposed use is a 4-seat Chinese restaurant conducting both eat-in and takeaway. This business is an appropriate use for the neighborhood. The owners have experience managing a restaurant.

The Department has no objection to the issuance of a Common Victualler license to this business.

Any changes in signage, including signs in the window, and changes to the façade of the building may be subject to review by this Department. The Applicant is reminded that all signs, including re-lettering of any existing signs, require a permit issued by the Building Department. Other provisions of the Zoning Bylaw may apply as determined by the Building Inspector.

APPLICANT SIGNATURE SECTION:

I have received the above report and acknowledge said inspection. I fully understand that no work is to commence at the premises of the proposed location of which is the subject matter of this inspection report until the license is approved by the Select Board; furthermore, any work done is done at the applicant's risk.

Applicant's Signature: Shun Wong

Date: 01/09/25



Town of Arlington
Department of Health and Human Services
Office of the Board of Health
27 Maple Street
Arlington, MA 02476

Tel: (781) 316-3170
Fax: (781) 316-3175

MEMO

To: Select Board
From: Charlotte Breef-Pilz, Health Compliance Officer
Date: January 8, 2025
RE: Board of Health Comments for Select Board's Meeting on January 13, 2025

Please accept the following as comments from the Office of the Board of Health:

**Regent Theatre – 7 Medford St
Wine and Malt Beverage License**

- This Establishment was issued a Permit to Operate a Food Establishment by the Health Department on January 1, 2025. The permit number is FP-25-71 and it will expire on December 31, 2025.

**Regent Theatre – 7 Medford St
Public Entertainment License**

- The Health Department has no questions or concerns.

**Lucky Dragon – 90 Lowell St
Common Victualler**

- This Establishment has submitted their Plan Review application which has been approved by the Health Department. A conditional approval was given, awaiting the pre-operational inspection.



Town of Arlington, Massachusetts

For Discussion and Potential Vote: Alcohol Policy Changes

ATTACHMENTS:

Type	File Name	Description
▣ Reference Material	Alcohol_Policy_Regulations.pdf	Alcohol Licenses and Regulations
▣ Reference Material	Page_4.pdf	Page 4
▣ Reference Material	Page_7.pdf	Page 7
▣ Reference Material	Liquor_License_Memo_-_DPCD.pdf	Memo from Planning Department

TOWN OF ARLINGTON

Massachusetts OFFICE OF THE SELECT BOARD

ALCOHOL LICENSES AND REGULATIONS



CERTIFICATION OF LICENSE APPLICANTS

All license applicants must sign a certification attesting that they have read and understood the Town policies, rules, and regulations relevant to their license.

The certification form is available at the Office of the Select Board, and should be filed concurrently with any and all alcohol license applications.

TYPES OF LICENSES TO BE GRANTED IN ARLINGTON

	Page
• Alcohol Licenses for Restaurants (both all alcohol and wine and malt only restaurants).....	3
• All Alcohol Package Store Licenses	10
• Special (One-Day) Liquor License Policy	16
• Licenses for the Sale of Wine and Malt Beverages to be Consumed on the Premises in Theaters.....	18
• Sale of Wine at Farmers' Markets	24
• Caterer's License	26
• Club Licenses	27

Policies, Rules, and Regulations of Alcohol Licenses for Restaurants

Approved: 9/21/09

Revised: 9/10/12

Revised 1/12/15

Revised 1/10/22

I. Introduction

A. General Statement of Policy

The Town of Arlington is home to a wide array of high-quality eating establishments. As the local licensing authority for all sales of alcoholic beverages in the Town of Arlington, the Select Board (“Board”) wishes to support the existing restaurant culture and to stimulate its further growth through the issuance of liquor licenses to restaurants as appropriate. The Board also intends that all service and consumption of alcohol in the Town of Arlington be done responsibly and in conformance with all legal requirements. In service of these goals, licenses will be issued under these Policies, Rules, and Regulations only to holders of Common Victualler Licenses and/or Commonwealth of Massachusetts Brewery Licenses and with the consistent expectation that licensees will conduct their establishments to the highest standards.

The Board intends that the issuance of liquor licenses will contribute to the Town’s development in the following respects:

- (1) Bring to the Town quality restaurants and function rooms that provide fine dining opportunities in attractive surroundings;
- (2) Improve the variety of shops in Arlington;
- (3) Promote increased foot traffic; and
- (4) Strengthen the Town’s commercial tax base.

Consequently, the Board’s consideration of license applications will include location, proximity of proposed premises to residential neighborhoods or business areas, traffic impact, parking availability, content of proposed menu and other aesthetic considerations, including design and layout of the proposed establishment’s interior. All required notification of applications for new licenses, amended licenses, or license transfers must be provided to abutters and other affected parties in accordance with state law.

B. Conditions of Licensure: Compliance with Legal Requirements

Liquor licenses are subject to these Policies, Rules, and Regulations as well as relevant provisions of state law (Chapter 138 of the Massachusetts General Laws) and the rules, regulations, and other guidance of the Alcoholic Beverages Control Commission, as they may be from time to time amended. Further, the Board may attach such conditions and restrictions to each license it issues as it deems to be in the public interest. All licensees must be familiar with all requirements that apply to their licenses and must abide by those requirements in the operation of their establishments. In addition to legal provisions governing liquor licenses, licensees must also maintain compliance with all other requirements that apply to the operation of

licensed premises, including but not limited to the State Building Code, Fire Code, Common Victualler License, and Brewery license requirements as well as all applicable Town Bylaws and codes. Failure to comply with these or any other applicable provisions may lead to further conditions being placed upon the license or to license suspension or revocation.

II. Licensing

A. Types of Licenses, Seating Capacity

The Board is authorized to issue two types of licenses for the sale of alcohol to be consumed on the premises: (1) All-Alcohol; and (2) Wine and Malt Beverages. All-Alcohol Licenses may be issued for restaurants having a minimum seating capacity of 50. Wine and Malt Beverage Licenses may be issued for restaurants having a minimum seating capacity of 19. Holders of licenses to sell wine and malt beverages for consumption on the premises may not sell cordials or liqueurs unless and until the Town adopts local-option legislation to allow such sales. Seating capacity will be determined in accordance with the applicable provisions of the Massachusetts State Building Code. Unless specified otherwise, these Policies, Rules, and Regulations apply to both All-Alcohol and Wine and Malt Beverages licenses.

B. Application Process

1. Forms: Application for a license to sell alcoholic beverages for consumption on the premises requires submission of the following forms, in addition to any other information required by Chapter 138 of the General Laws or the rules, regulations, or policies of the Alcoholic Beverages Control Commission:

- (a) Alcoholic Beverages Control Commission application form;
- (b) Town of Arlington application form;
- (c) Criminal Offender Record Information ("CORI") release form; and
- (d) Department of Revenue release form.

The Board reserves the right to decline to process incomplete applications and to supplement or substitute required application materials at any time. Complete application information must be provided for each individual appearing on the application.

2. Fees:

- (a) filing fee: A non-refundable filing fee of \$100 must be submitted with each application;
- (b) license fees: If a license is granted, the following annual license fee shall be due at the time the license is issued and upon each renewal:
 - (i) All Alcohol License: \$3,000. By vote of the Board, this annual fee may be prorated for licenses granted after January 1, but in no event shall it be less than \$1,500.
 - (ii) Wine and Malt Beverage License: \$1,750. By vote of the Board, this annual fee may be prorated for licenses granted after January 1, but in no event shall it be less than \$600.

- (iii) Reductions: The Board may choose to reduce the annual license fee by \$400 for All-Alcohol Licenses and by \$200 for Wine and Malt Beverages Licenses for applicants who demonstrate successful completion of a certified server-training program.
- (c) the Board reserves the right to adjust any of the fees listed above from year to year.
- (d) form of payment: All payments must be made by certified or personal check.
- 3. Building and Site Plan: Every application must include the following information for the proposed licensed premises on a clear and accurate scale drawing;
 - (a) The net floor area and dimensions of the existing room or rooms requested to be licensed, including dining rooms, function rooms, and storage rooms;
 - (b) The location of any proposed service bars;
 - (c) Moveable or secured seats and tables;
 - (d) Entrance and exit doors, windows, and stairs; and
 - (e) All rooms that are not requested to be licensed, but are on the same floor as the room or rooms that are requested to be licensed, identified as to function (e.g., kitchen, coatroom, lobby).
- 4. Corporate Ownership and Interest:
 - (a) application materials: Every application made by a corporate entity shall state the full name and home address of the entity's president, treasurer, clerk, secretary, directors, investors, developers, managers, or any other person with a financial interest in the entity. The application shall be signed by a corporate officer duly authorized by a vote of the entity's board of directors or equivalent governing board. Copies of the following documents shall be filed with the application: the entity's certificate of incorporation, the vote authorizing the application, and the vote appointing the manager or other principal representative with respect to the license being requested.
 - (b) manager or principal representative: No corporate entity may receive a license to sell alcoholic beverages for consumption on the premises unless such entity shall have first appointed, by a vote of its board of directors or equivalent governing board, a manager or principal representative who is (1) a citizen of the United States; (2) vested with properly voted authority (evidenced by written delegation) over the premises to be licensed and the conduct of all business to be conducted thereon to the same extent that the licensee itself would be if a natural person resident in the Commonwealth; and (3) satisfactory to the Board.
 - (c) change in interest: Except as otherwise provided by law, no change in the stock ownership of a corporate entity shall be made after the license has been granted or renewed without the express written approval of the Board.
- 5. Advertising & Notification: The applicant is responsible for complying with state-law requirements for advertising and written notification, including but not limited to

requirements set forth in Sections 15A and 16C of Chapter 138 of the General Laws. The Board reserves the right to order additional notification.

6. Statements in Application Materials: Any false statement made in connection with an application shall be cause for denial of the license or for suspension, cancellation, or revocation of a license already granted.

C. License Duration, Renewals

Once issued, licenses are valid until December 31. The licensee is responsible for filing a renewal application at least 45 days before December 31. At the time of renewal, all previously submitted materials must be updated as appropriate and the required fee must be paid. The Board or its designee shall inspect the licensed premises prior to renewal and the complete inspection report must be filed with every renewal application. A renewal application that fails to meet any of these requirements will be treated as an original license application.

III. Operation of Licensed Premises

A. Hours

Unless otherwise fixed for a particular license, licensees may sell alcoholic beverages for consumption on the premises between the hours of 11:00 a.m. and 12:00 midnight daily, provided that food service is available during all hours in which alcoholic beverages are offered for sale. All alcoholic beverages and containers must be removed from tables and service bars one-half hour after closing time. Patrons must be off the licensed premises one hour after closing time. The licensee, the licensee's manager or principal representative, and employees or subcontractors of the licensee may be on the licensed premises after closing only in accordance with Chapter 138 of the General Laws.

B. Supervision, Order, and Decorum

The licensee or licensee's manager or principal representative shall be present at the licensed premises at all times during which alcoholic beverages are offered for sale. The licensee may designate and authorize some other person to act as the responsible manager and be present at the licensed premises while alcoholic beverages are offered for sale, provided that this person shall first have been identified to, and approved by, the Board. The designated manager or representative described in this section shall be available to the Board or its designee at all times during which alcoholic beverages may be sold on the licensed premises. The full name, current residential address, and current business and home telephone numbers of all designated managers or representatives described in this section shall be on file with the Board. Failure to provide this information and keep it current shall alone be sufficient cause for suspension or revocation of the license.

The manager or representative on site shall at all times maintain order and decorum on the premises and in the area immediately surrounding the premises. These areas must be kept clean, neat, and sanitary at all times. The manager or representative on site shall cooperate in all ways with Town officials, including but not limited to representatives of the Board, the Police Department, the Fire Department, Inspectional Services, and the Board of Health.

C. Inspections

At any time, licensed premises are subject to inspection by the Board or its designee, including but not limited to the Police Department, the Fire Department, Inspectional Services, and the Board of Health.

D. Physical Plant

The location of service bars shall not be changed without the submission of an amended floor plan to the Board and the Board's written approval. No premises will be licensed unless adequate and appropriate toilet facilities are available to patrons. No amusement devices such as electronic games shall be permitted on any licensed premises. All licensed establishments shall have suitable appliances to maintain water temperature consistently at 180° so that eating, drinking, cooking, and serving utensils are thoroughly cleaned and sanitized. In the interest of discouraging the marketing of alcoholic beverages to minors, licensed premises shall be limited to the posting of advertisements or signs carrying the name of the owner/operator and all signage is subject to Section 6.2 of the Arlington Zoning Bylaw. Signage on the inside of licensed premises is subject to Board approval.

E. Service and Consumption of Alcoholic Beverages and Food

1. Service of Alcoholic Beverages: Alcoholic beverages may be served only by staff of the licensed establishment. No pitchers of beer may be served. Alcoholic beverages served over a counter can only be served at the point of sale after direct verification of a valid drivers' license to confirm that the customer is of legal drinking age and that customer is the sole recipient of the beverage.

2. Service of Food: Food service must be available in all areas in which alcoholic beverages are served. No more than two alcoholic beverages per person may be served without food. After two alcoholic beverages have been served and consumed, a third such beverage may be served only with the delivery of food. Food must be served on solid, reusable, recyclable, or compostable dinnerware

3. Consumption of Alcoholic Beverages on the Premises: Only alcoholic beverages sold on the licensed premises shall be consumed on the premises: no patron shall be permitted to bring alcoholic beverages purchased off-site onto any licensed premises for consumption. All alcoholic beverages purchased on the premises shall be consumed on the premises, except unfinished bottles of wine re-sealed in accordance with Chapter 138, Section 12, of the General Laws and regulations of the Alcohol Beverages Control Commission. Even if the licensee's Common Victualler permit allows for outdoor seating, alcoholic beverages may be served in an outdoor space only if: (1) the description of the licensed premises expressly includes such outdoor space; (2) the outdoor space is surrounded by a suitable barrier or other physical element that maintains separation between the licensed premises and the general public; (3) the outdoor space is privately owned, or the outdoor space is on a public way and the owner of the licensed premises: a) obtains permission for such use from the Board, b) agrees to indemnify and hold harmless the Town of Arlington and all of its officers, officials, and assigns from any and all claims connected with their use of public ways areas described in the licensed premises, c) presents proof of insurance for its use of same, and d) complies with all other town, state, and federal laws including maintaining Americans with Disabilities Act (ADA) compliance; and (4) the Board is satisfied that neither the safety, nor the enjoyment of public ways shall be unreasonably compromised by issuance of a license permitting outdoor service of alcohol on a publicway. All outdoor food and alcohol service shall conclude before 10:00 p.m. Sunday through Thursday, and 11:00 p.m. Friday and Saturday, unless otherwise affixed on a particular license as approved by the Board.

IV. Status of License

A. Exercise of License: Once a license is granted under these Policies, Rules, and Regulations, the licensee shall commence construction or alteration of the licensed premises within forty-five days and shall be in full operation within four months, unless a longer period is authorized by the Board. Thereafter, the licensee shall operate the licensed premises continuously in accordance with the terms of the license.

Closing of the licensed premises for seven consecutive days or for any ten days during the calendar year (other than outside the establishment's normal business hours) without prior written approval of the Board shall be considered abandonment of the license and sufficient grounds for revocation.

B. Violations

1. Generally: Any violation of Chapter 138 of the General Laws pertaining to licenses for the sale of alcoholic beverages to be consumed on the premises; any violation of the rules, regulations, or policies of the Alcoholic Beverages Control Commission relative to the sale of alcoholic beverages to be consumed on the premises; any violation of these Policies, Rules, and Regulations; or any violation of the conditions attached to any license granted under these Policies, Rules, and Regulations may result in additional conditions being placed on the license or in the cancellation, suspension, or revocation of the license following a hearing before the Board. Any action taken under this section shall be commenced by written notification to the licensee at the address on file with the Board. A hearing held under this section shall commence within two weeks or as soon as reasonably practicable thereafter following written notification. The Board or its agents may seize a license immediately if, in the Board's discretion, public health or safety warrants such a seizure and the penalty must begin on the same day of the week as the violation occurred. If a license is seized immediately, a hearing will be commenced within two weeks of the seizure, unless the licensee assents in writing to a longer time.

2. Service to Underage Individuals: If, after notice and a hearing, the Board or its designee concludes that an under-aged person was served alcohol at a licensed establishment, the Board shall suspend the license as provided below, or for such other time as the Board in its discretion shall choose.

First offense:	3-5 days suspension
Second offense:	6-10 days suspension
Third offense:	10-15 days suspension or revocation

This section shall not impair the Board's discretion to impose some other type of penalty in place of license suspension if the Board concludes that another penalty is appropriate. Such other penalties may include (but are not limited to) rolling back hours of operation, fixing other conditions on the license, or suspending or fixing conditions on the licensee's other licenses, such as Common Victualler or entertainment.

In fixing the penalty for sales to underaged individuals, the Board may consider the following factors:

- (a) licensee's policies and procedures and application of those policies and procedures to guard against service to underaged individuals;
- (b) severity and type of offense;
- (c) efforts made to identify purchasers of alcohol;
- (d) appearance of the underaged purchaser of alcohol;
- (e) quality of the evidence of a violation;
- (f) circumstances of the case; and
- (g) number and nature of licensee's previous violations.

C. Transfers

Licenses granted under these Policies, Rules, and Regulations may not be transferred or assigned except with the approval of the Board and in accordance with Chapter 138 of the General Laws and rules, regulations, and policies of the Alcoholic Beverages Control Commission.

Policies, Rules, and Regulations for All Alcohol Package Store Licenses

Approved: 1/12/15

I. Introduction

A. General Statement of Policy

The Town of Arlington is home to a wide array of retail establishments. As the local licensing authority for all sales of alcoholic beverages in the Town of Arlington, the Select Board ("Board") wishes to support the existing business climate and to stimulate its further growth through the issuance of Package Store Licenses as appropriate. The Board also intends that all service and consumption of alcohol in the Town of Arlington be done responsibly and in conformance with all legal requirements. In service of these goals, licenses will be issued under these Policies, Rules, and Regulations only to holders of package store licenses with the consistent expectation that licensees will conduct their establishments to the highest standards.

The Board intends that the issuance of package store licenses will contribute to the Town's development in the following respects:

- (1) Bring to the Town quality shops that provide retail alcohol products in attractive surroundings;
- (2) Provide convenient and attractive parking options;
- (3) Improve the variety of shops in Arlington;
- (4) Promote increased foot traffic; and
- (5) Strengthen the Town's commercial tax base.

Consequently, the Board's consideration of license applications will include number of existing dispensaries in the community, views of the inhabitants, traffic, noise, size of business operation intended, type of business operation intended, and reputation of applicant. All required notification of applications for new licenses, amended licenses, or license transfers must be provided to abutters and other affected parties in accordance with state law.

B. Conditions of Licensure: Compliance with Legal Requirements

Package store licenses are subject to these Policies, Rules, and Regulations as well as relevant provisions of state law (Chapter 138 of the Massachusetts General Laws) and the rules, regulations, and other guidance of the Alcoholic Beverages Control Commission, as they may be from time to time amended. Further, the Board may attach such conditions and restrictions to each license it issues as it deems to be in the public interest. All licensees must be familiar with all requirements that apply to their licenses and must abide by those requirements in the operation of their establishments. In addition to legal provisions governing liquor licenses, licensees must also maintain compliance with all other requirements that apply to the operation of licensed premises, including but not limited to the State Building Code, Fire Code, and

Sanitary Code requirements as well as all applicable Town Bylaws and codes. Failure to comply with these or any other applicable provisions may lead to further conditions being placed upon the license or to license suspension or revocation. *All taxes and charges owed the Town must be paid on a current basis. Failure to comply with any of these laws and regulations shall be sufficient cause for revocation, suspension, or modification of license.*

II. Licensing

A. Application Process

1. Forms: Application for a license for the sale at retail of alcoholic beverages not to be drunk on the premise where sold requires submission of the following forms, in addition to any other information required by Chapter 138 of the General Laws or the rules, regulations, or policies of the Alcoholic Beverages Control Commission:

- (a) Alcoholic Beverages Control Commission application form;
- (b) Town of Arlington application form;
- (c) Criminal Offender Record Information (“CORI”) release form; and
- (d) Department of Revenue release form.

The Board reserves the right to decline to process incomplete applications and to supplement or substitute required application materials at any time. Complete application information must be provided for each individual appearing on the application. *Once denied, applications may not be submitted for (12) months.*

2. Fees:

- (a) filing fee: A non-refundable filing fee of \$250 must be submitted with each application;
- (b) license fees: If a license is granted, the following annual license fee of \$2,500 shall be due at the time the license is issued and upon each renewal.
- (c) The Board reserves the right to adjust any of the fees listed above from year to year.
- (d) form of payment: All payments must be made by certified or personal check.

3. Building and Site Plan: Every application must include the following information for the proposed licensed premises on a clear and accurate scale drawing;

- (a) The net floor area and dimensions of the existing room or rooms requested to be licensed, including storage rooms; and
- (b) Entrance and exit doors, windows, and stairs.

4. Corporate Ownership and Interest:

- (a) application materials: Every application made by a corporate entity shall state the full name and home address of the entity’s president, treasurer, clerk, secretary, directors, investors, developers, managers, or any other person with a financial

interest in the entity. The application shall be signed by a corporate officer duly authorized by a vote of the entity's board of directors or equivalent governing board. Copies of the following documents shall be filed with the application: the entity's certificate of incorporation, the vote authorizing the application, and the vote appointing the manager or other principal representative with respect to the license being requested. *Any change in corporate name or status or any change in trade name (DBA) shall require the prior approval of the Board.*

- (b) manager or principal representative: No corporate entity may receive a license to sell alcoholic beverages for consumption on the premises unless such entity shall have first appointed, by a vote of its board of directors or equivalent governing board, a manager or principal representative who is (1) a citizen of the United States; (2) vested with properly voted authority (evidenced by written delegation) over the premises to be licensed and the conduct of all business to be conducted thereon to the same extent that the licensee itself would be if a natural person resident in the Commonwealth; and (3) satisfactory to the Board. *The licensee shall not change managers, change corporate officers without first obtaining the approval of the Board. No person may have a direct or indirect beneficial interest in a license without first obtaining the approval of the Board.*
- (c) change in interest: Except as otherwise provided by law, no change in the stock ownership of a corporate entity shall be made after the license has been granted or renewed without the express written approval of the Board.

5. Advertising & Notification: The applicant is responsible for complying with state-law requirements for advertising and written notification, including but not limited to requirements set forth in Sections 15A and 16C of Chapter 138 of the General Laws. The Board reserves the right to order additional notification.

6. Statements in Application Materials: Any false statement made in connection with an application shall be cause for denial of the license or for suspension, cancellation, or revocation of a license already granted.

B. License Duration, Renewals

Once issued, licenses are valid until December 31. The licensee is responsible for filing a renewal application at least 45 days before December 31. At the time of renewal, all previously submitted materials must be updated as appropriate and the required fee must be paid. The Board or its designee shall inspect the licensed premises prior to renewal and the complete inspection report must be filed with every renewal application. A renewal application that fails to meet any of these requirements will be treated as an original license application.

Any licensee intending to close a place of business, whether on a temporary or permanent basis, must notify the Board in writing before such closing stating the reason and length of such closing. Failure to provide such notice may result in the revocation of the license.

The licensee shall immediately notify, in writing, the Board of any proceedings brought by or against the licensee under the bankruptcy laws or of any other court proceedings which may affect the status of the license.

III. Operation of Licensed Premises

A. Hours

Unless otherwise fixed for a particular license, licensees may sell alcoholic beverages not for consumption on the premises between the hours of 8:00 a.m. and 12:00/midnight Monday through Saturday and between the hours of 10:00 A.M. and 12:00 midnight Sunday. The licensee, the licensee's manager or principal representative, and employees or subcontractors of the licensee may be on the licensed premises after closing only in accordance with Chapter 138 of the General Laws.

No sale or delivery of alcoholic beverages shall be made except during the legal hours of sale. Alcoholic beverages shall be transported or delivered for sale only upon orders actually received at the licensed business prior to the shipment thereof and must comply with the following. Package store licensees are required to keep a written record of the name and address of every person to whom a delivery is made outside of the premises. Additionally, the record must include the information as to the amount of alcoholic beverages that were delivered, the date and time of delivery, and the signature of the person receiving the delivery. If such signature is illegible, the licensee is required to have the patron print his or her name under said signature. Such records must be maintained for a period of not less than one year from the last entry therein and must be available to the Licensing Board and its agents for inspection at any time in a form suitable for easy inspection.

B. Supervision, Order, and Decorum

The licensee or licensee's manager or principal representative shall be present at the licensed premises at all times during which the sale of alcoholic beverages not for consumption on premise are sold. The licensee may designate and authorize some other person to act as the responsible manager and be present at the licensed premises while alcoholic beverages are offered for sale, provided that this person shall first have been identified to, and approved by, the Board. The designated manager or representative described in this section shall be available to the Board or its designee at all times during which alcoholic beverages may be sold on the licensed premises. The full name, current residential address, and current business and home telephone numbers of all designated managers or representatives described in this section shall be on file with the Board. Failure to provide this information and keep it current shall alone be sufficient cause for suspension or revocation of the license.

The manager or representative on site shall at all times maintain order and decorum on the premises and in the area immediately surrounding the premises. These areas must be kept clean, neat, and sanitary at all times. The manager or representative on site shall cooperate in all ways with Town officials, including but not limited to representatives of the Board, the Police Department, the Fire Department, Inspectional Services, and the Board of Health.

C. Inspections

At any time, licensed premises are subject to inspection by the Board or its designee, including but not limited to the Police Department, the Fire Department, Inspectional Services, and the Board of Health.

D. Physical Plant

The store layout shall not be changed without the submission of an amended floor plan to the Board and the Board's written approval. No amusement devices such as electronic games shall be permitted on any licensed premises. Licensed premises shall not allow in more than one-third of windows or on outside walls the posting of advertisements or signs carrying the brand name of any alcoholic beverages. Signage on the inside of licensed premises is subject to Board approval.

E. Service and Employee Training

An up-to-date list of all employees shall be available on the premises at all times for review by authorized agents of the Board. Any employee making a sale of alcoholic beverages must be at least twenty-one (21) years of age and provide a C.O.R.I. report. The Board in its sole discretion shall make judgments as to whether any violation warrants disapproval.

An employee education and training program on the proper procedures for verifying that patrons are at least 21 years of age and not intoxicated shall be provided by the licensee. A written description of such program, along with a written policy outlining the employees' responsibilities and the disciplinary measures which will be taken against any employee for violating said policy, shall be filed with the Board and be maintained on the premises at all times. A signed certification of each employee, indicating that the employee has received the described training and has reviewed and understands the written policy describing his or her responsibilities and the disciplinary action which will be taken for violations, shall be maintained on the premises at all times. Copies of all such documents and certifications shall be available to the licensing authority, or any authorized agent thereof, upon demand.

No alcoholic beverages shall be sold to anyone under twenty-one (21) years of age or any intoxicated person. Signage indicating, "If you look under 30 years of age, you will be carded" shall be conspicuously displayed. Only an original driver's license with photograph or a Massachusetts Liquor Purchase identification Card shall be accepted as proof of age.

F. Sampling

No licensee, manager, server, agent, or employee shall knowingly permit such consumption of alcoholic beverages within or upon the retail package store licensed premises, or upon any area under the direction and control of the licensee, except for "sample tasting" as set forth in G.L. c. 138 sec. 15, including limitations on samples set forth therein.

IV. Status of License

A. Exercise of License

Once a license is granted under these Policies, Rules, and Regulations, the licensee shall commence construction or alteration of the licensed premises within forty-five days and shall be in full operation within four months, unless a longer period is authorized by the Board. Thereafter, the licensee shall operate the licensed premises continuously in accordance with the terms of the license. Closing of the licensed premises for seven consecutive days or for any ten days during the calendar year (other than outside the establishment's normal business hours) without prior written approval of the Board shall be considered abandonment of the license and sufficient grounds for revocation.

All licenses and permits issued by the Town shall be displayed on the premises in a conspicuous place where the public has access and may read.

B. Violations

1. Generally: Any violation of Chapter 138 of the General Laws pertaining to licenses for the sale of alcoholic beverages to be consumed on the premises; any violation of the rules, regulations, or policies of the Alcoholic Beverages Control Commission relative to the sale of alcoholic beverages not to be consumed on the premises; any violation of these Policies, Rules, and Regulations; or any violation of the conditions attached to any license granted under these Policies, Rules, and Regulations may result in

additional conditions being placed on the license or in the cancellation, suspension, or revocation of the license following a hearing before the Board. Any action taken under this section shall be commenced by written notification to the licensee at the address on file with the Board. A hearing held under this section shall commence within two weeks or as soon as reasonably practicable thereafter following written notification. The Board or its agents may seize a license immediately if, in the Board's discretion, public health or safety warrants such a seizure and the penalty must begin on the same day of the week as the violation occurred. If a license is seized immediately, a hearing will be commenced within two weeks of the seizure, unless the licensee assents in writing to a longer time.

2. Service to Underage Individuals: If, after notice and a hearing, the Board or its designee concludes that an under-aged person was sold alcohol at a licensed establishment, the Board shall suspend the license as provided below, or for such other time as the Board in its discretion shall choose.

First offense:	3-5 days suspension
Second offense:	6-10 days suspension
Third offense:	10-15 days suspension or revocation

This section shall not impair the Board's discretion to impose some other type of penalty in place of license suspension if the Board concludes that another penalty is appropriate. Such other penalties may include (but are not limited to) rolling back hours of operation, fixing other conditions on the license.

In fixing the penalty for sales to underage individuals, the Board may consider the following factors:

- (a) licensee's policies and procedures and application of those policies and procedures to guard against service to underage individuals;
- (b) severity and type of offense;
- (c) efforts made to identify purchasers of alcohol;
- (d) appearance of the underage purchaser of alcohol;
- (e) quality of the evidence of a violation;
- (f) circumstances of the case; and
- (g) number and nature of licensee's previous violations.

B. Transfers

Licenses granted under these Policies, Rules, and Regulations may not be transferred or assigned except with the approval of the Board and in accordance with Chapter 138 of the General Laws and rules, regulations, and policies of the Alcoholic Beverages Control Commission. *Assignment of stock in incorporated licensed places for the purpose of safeguarding the assignee on loans, etc., gives no right to such assignee to conduct the business of the licensee; therefore, licensees must notify the Board immediately when the assignee forecloses under such assignment of stock.*

Special (One-Day) Liquor License Policy

Approved: 6/7/10

Revised: 4/12/12

Revised: 1/12/15

1. A one-day “special” license for the sale of **wine & malt only beverages** may be granted to the responsible manager of any indoor or outdoor (see #2) activity or enterprise.
A one-day “special” license for the sale of **all alcoholic beverages** may be granted to the responsible manager of any non-profit organization conducting any indoor or outdoor (see #2) activity or enterprise.
2. Sale and consumption are limited to inside of the premises, with the exception of Town Hall and Whittemore Robbins House events, which shall permit sale and consumption in designated areas of the Town Hall Garden and Whittemore Robbins Gardens respectively. If allowed by Board vote, outdoor sale and consumption may occur only in a defined outside area away from public ways.
3. Consistent with Section 14 of Massachusetts General Laws Chapter 138, a responsible manager and alternate should be named by the organization, one of whom shall be on the premises at all times during the day(s) in question. The responsible manager must be at least 21 years of age. The name(s) and 24-hour contact information shall be on file with the Office of the Board of Select Board and Police Services Division.
4. The Local Licensing Authority (Select Board) may impose reasonable conditions and limitations on any special license that is granted, including but not limited to the hours of operation and the presence of a police detail(s).
5. **Security.** The applicant must present a security plan to the Arlington Police Department before filing this application. This security plan must include provisions for:
 - crowd control,
 - dealing with unruly patrons,
 - emergency evacuations,
 - traffic/parking considerations, and
 - controlling access to alcohol by underaged persons.

Unless circumstances warrant otherwise, the security plan will require one police officer for an event that 150 people are expected to attend and two officers for an event that 300 or more people are expected to attend. *The Chief of Police, Operations Commander, or their designee (see attached Town Hall Events-Bar Requirements Sheet) must sign off on this application as to the security plan for the event **before** the application is filed with the Select Board.* Moreover, applicants must demonstrate that people who will be serving alcoholic beverages are at least 21 years of age and that at least one person who will be staffing each point of service of alcoholic beverages has certification in TIPS or comparable safety training.

6. Unless otherwise voted by the Select Board, each special license shall cover a single activity or enterprise.

- a. A special license generally is granted for a single day only. The special license may be granted for more than one day at a time **only** if the activity or enterprise spans more than one day.
 - b. The fee for a special license shall be charged on a per-day basis.
- 7. The Board reserves the right to decline to consider any application filed later than 21 days before the proposed event. The Board may require the filing of references by the applicant at its discretion.
- 8. Organizers of any event requiring a one-day "special" liquor license must comply with state statutory and regulatory requirements, which can be found on the website of the Alcoholic Beverages Control Commission: WWW.MASS.GOV/ABCC. See Chapter 138, Section 14, of the Massachusetts General Laws and 204 C.M.R. 7.00. If necessary, organizers should consult private counsel to ensure compliance with these legal requirements.

Rules and Regulations for Licenses for the Sale of Wine and Malt Beverages to be Consumed on the Premises in the Theaters

Approved: 5/21/12

Revised: 1/12/15

I. GENERAL CONDITIONS

A. Conditions of Licensure: Compliance with Legal Requirements

Licenses for the sale of wine and malt beverages are subject to these Rules and Regulations as well as relevant provisions of state law (Chapter 138 of the Massachusetts General Laws) and the rules, regulations, and other guidance of the Alcoholic Beverages Control Commission, as they may be from time to time amended. Further, the Board may attach such conditions and restrictions to each license it issues as it deems to be in the public interest. All licensees must be familiar with all requirements that apply to their licenses and must abide by those requirements in the operation of their establishments. In addition to legal provisions governing liquor licenses, licensees must also maintain compliance with all other requirements that apply to the operation of licensed premises, including but not limited to the State Building Code, Fire Code, and Common Victualler and/or Food Vendor License requirements as well as all applicable Town Bylaws and codes. Failure to comply with these or any other applicable provisions may lead to further conditions being placed upon the license or to license suspension or revocation.

B. Application Process

1. Forms: Application for a license to sell alcoholic beverages for consumption on the premises requires submission of the following forms, in addition to any other information required by Chapter 138 of the General Laws or the rules, regulations, or policies of the Alcoholic Beverages Control Commission:

- (a) Alcoholic Beverages Control Commission application form;
- (b) Town of Arlington application form;
- (c) Criminal Offender Record Information ("CORI") release form; and
- (d) Department of Revenue release form.

The Board reserves the right to decline to process incomplete applications and to supplement or substitute required application materials at any time. Complete application information must be provided for each individual appearing on the application.

2. Fees:

- (a) filing fee: A non-refundable filing fee of \$100 must be submitted with each application;

- (b) license fees: The amount of annual license fees shall be tiered based on the number of days per year that the applicant expects to be open, as follows:

up to 50 days	\$ 750.00
50-99 days	\$1,250.00
100 days or more	\$1,750.00

For purposes of calculating the applicable annual license fee, any portion of a day or evening during which the applicant's establishment is open to the public for a movie showing, live performance, or other entertainment will be counted as one day.

By vote of the Board, this annual fee may be prorated for licenses granted after January 1.

The Board will reduce the annual license fee by \$200 for applicants who demonstrate successful completion of a certified server-training program.

- (c) The Board reserves the right to adjust any of the fees listed above from year to year.

- (d) form of payment: All payments must be made by certified or personal check.

3. Building and Site Plan: Every application must include the following information for the proposed licensed premises on a clear and accurate scale drawing;

- (a) The net floor area and dimensions of the existing room or rooms requested to be licensed, including dining rooms, function rooms, and storage rooms;
- (b) The location of any proposed service bars;
- (c) Moveable or secured seats and tables;
- (d) Entrance and exit doors, windows, and stairs; and
- (e) All rooms that are not requested to be licensed, but are on the same floor as the room or rooms that are requested to be licensed, identified as to function (e.g., kitchen, coatroom, lobby).

4. Corporate Ownership and Interest:

- (a) application materials: Every application made by a corporate entity shall state the full name and home address of the entity's president, treasurer, clerk, secretary, directors, investors, developers, managers, or any other person with a financial interest in the entity. The application shall be signed by a corporate officer duly authorized by a vote of the entity's board of directors or equivalent governing board. Copies of the following documents shall be filed with the application: the entity's certificate of incorporation, the vote authorizing the application, and the vote

appointing the manager or other principal representative with respect to the license being requested.

- (b) manager or principal representative: No corporate entity may receive a license to sell alcoholic beverages for consumption on the premises unless such entity shall have first appointed, by a vote of its board of directors or equivalent governing board, a manager or principal representative who is (1) a citizen of the United States; (2) vested with properly voted authority (evidenced by written delegation) over the premises to be licensed and the conduct of all business to be conducted thereon to the same extent that the licensee itself would be if a natural person resident in the Commonwealth; and (3) satisfactory to the Board.
- (c) change in interest: Except as otherwise provided by law, no change in the stock ownership of a corporate entity shall be made after the license has been granted or renewed without the express written approval of the Board.

5. Advertising & Notification: The applicant is responsible for complying with state-law requirements for advertising and written notification, including but not limited to requirements set forth in Sections 15A and 16C of Chapter 138 of the General Laws. The Board reserves the right to order additional notification.

6. Statements in Application Materials: Any false statement made in connection with an application shall be cause for denial of the license or for suspension, cancellation, or revocation of a license already granted.

C. License Duration, Renewals

Once issued, licenses are valid until December 31. The licensee is responsible for filing a renewal application at least 45 days before December 31. At the time of renewal, all previously submitted materials must be updated as appropriate and the required fee must be paid. The Board or its designee shall inspect the licensed premises prior to renewal and the complete inspection report must be filed with every renewal application. A renewal application that fails to meet any of these requirements will be treated as an original license application.

D. Supervision, Order, and Decorum

The licensee or licensee's manager or principal representative shall be present at the licensed premises at all times during which alcoholic beverages are offered for sale. The licensee may designate and authorize some other person to act as the responsible manager and be present at the licensed premises while alcoholic beverages are offered for sale, provided that this person shall first have been identified to, and approved by, the Board. The designated manager or representative described in this section shall be available to the Board or its designee at all times during which alcoholic beverages may be sold on the licensed premises. The full name, current residential address, and current business and home telephone numbers of all designated managers or representatives described in this section shall be on file with the Board. Failure to provide this information and keep it current shall alone be sufficient cause for suspension or revocation of the license.

The manager or representative on site shall at all times maintain order and decorum on the premises and in the area immediately surrounding the premises. These areas must be kept clean, neat, and sanitary at

all times. The manager or representative on site shall cooperate in all ways with Town officials, including but not limited to representatives of the Board, the Police Department, the Fire Department, Inspectional Services, and the Board of Health.

E. Inspections

At any time, licensed premises are subject to inspection by the Board or its designee, including but not limited to the Police Department, the Fire Department, Inspectional Services, and the Board of Health.

F. Physical Plant

The location of service bars shall not be changed without the submission of an amended floor plan to the Board and the Board's written approval. No premises will be licensed unless adequate and appropriate toilet facilities are available to patrons. All licensed establishments shall have suitable appliances to maintain water temperature consistently at 180° so that eating, drinking, cooking, and serving utensils are thoroughly cleaned and sanitized. Licensed premises shall not allow in windows or on outside walls the posting of advertisements or signs carrying the brand name of any alcoholic beverages. Signage on the inside of licensed premises is subject to Board approval.

G. Violations

1. Generally: Any violation of Chapter 138 of the General Laws pertaining to licenses for the sale of alcoholic beverages to be consumed on the premises; any violation of the rules, regulations, or policies of the Alcoholic Beverages Control Commission relative to the sale of alcoholic beverages to be consumed on the premises; any violation of these Rules, and Regulations; or any violation of the conditions attached to any license granted under these Rules and Regulations may result in additional conditions being placed on the license or in the cancellation, suspension, or revocation of the license following a hearing before the Board. Any action taken under this section shall be commenced by written notification to the licensee at the address on file with the Board. A hearing held under this section shall commence within two weeks or as soon as reasonably practicable thereafter following written notification. The Board or its agents may seize a license immediately if, in the Board's discretion, public health or safety warrants such a seizure and the penalty must begin on the same day of the week as the violation occurred. If a license is seized immediately, a hearing will be commenced within two weeks of the seizure, unless the licensee assents in writing to a longer time.

2. Service to Underage Individuals: If, after notice and a hearing, the Board or its designee concludes that an under-aged person was served alcohol at a licensed establishment, the Board shall suspend the license as provided below, or for such other time as the Board in its discretion shall choose.

First offense:	3-5 days suspension
Second offense:	6-10 days suspension
Third offense:	10-15 days suspension or revocation

This section shall not impair the Board's discretion to impose some other type of penalty in place of license suspension if the Board concludes that another penalty is appropriate. Such other penalties may include (but are not limited to) rolling back hours of operation, fixing other conditions on the license, or suspending or fixing conditions on the licensee's other licenses, such as Common Victualler or entertainment.

In fixing the penalty for sales to underaged individuals, the Board may consider the following factors:

- (a) licensee's policies and procedures and application of those policies and procedures to guard against service to underaged individuals;
- (b) severity and type of offense;
- (c) efforts made to identify purchasers of alcohol;
- (d) appearance of the underaged purchaser of alcohol;
- (e) quality of the evidence of a violation;
- (f) circumstances of the case; and
- (g) number and nature of licensee's previous violations.

3. Compliance Checks: Theaters holding licenses for the sale of wine and malt beverages shall be subject to alcohol compliance checks to the extent permitted by law and to the same extent as any other licensee for the sale of alcoholic beverages to be consumed on or off the premises within the Town.

H. Transfers

Licenses granted under these Rules and Regulations may not be transferred or assigned except with the approval of the Board and in accordance with Chapter 138 of the General Laws and rules, regulations, and policies of the Alcoholic Beverages Control Commission.

II. SPECIAL CONDITIONS FOR THEATERS

A. Theater Venues Eligible for License to Sell Wine and Malt Beverages

A license for the sale of wine and malt beverages to be consumed on the premises may be granted to any privately operated enclosed entertainment facility with a minimum seating capacity of 100 that is used primarily for the presentation of motion pictures or dramatic, comedic, or musical performances.

B. Hours of Sale

Sales of wine and malt beverages shall be permitted during regular hours of operation of the theater.

C. Who May Purchase

Wine and malt beverages may be sold only to patrons holding tickets for a movie, performance, or other entertainment to be presented in the licensed establishment on the date and at the approximate time of the sale.

D. Limit on Sales

No patron may be served more than two wine or malt beverages per day. No more than two wine or malt beverages may be purchased by a patron at one time. No pitchers of beer or bottles or carafes of wine shall be served. Only alcoholic beverages sold on the licensed premises shall be consumed on the premises: no patron shall be permitted to bring alcoholic beverages purchased off-site onto any licensed premises for consumption. All alcoholic beverages purchased on the premises shall be consumed on the premises.

E. Place of Sales, Consumption

Wine and malt beverages may be sold only from one dedicated counter area. Once purchased, wine and malt beverages may be brought into any area of the theater in which food and non-alcoholic beverages are allowed to be consumed. Alcoholic beverages may not be served outside the licensed premises.

Sale of Wine at Farmers' Markets

Approved: 1/12/15

In 2010, the state authorized the sale of sealed bottles of wine by licensed farmer-wineries for consumption off the premises at "agricultural events" designated by the state Department of Agricultural Resources through Chapter 138 Section 15F.

Section 15F. Notwithstanding any other provision of chapter 138, in any city or town wherein the granting of licenses to sell wine is authorized under this chapter, the local licensing authority may issue to an applicant authorized to operate a farmer-winery under section 19B or in any other state, a special license for the sale of wine produced by or for the licensee in sealed containers for off-premise consumption at an indoor or outdoor agricultural event. All sales of wine shall be conducted by an agent, representative, or solicitor of the licensee to customers who are at least 21 years of age. A licensee under this section may provide, without charge, samples of wine to prospective customers at an indoor or outdoor agricultural event. All samples of wine shall be served by an agent, representative, or solicitor of the licensee to individuals who are at least 21 years of age and all samples shall be consumed in the presence of such agent, representative, or solicitor of the licensee; provided, however, that no sample shall exceed one (1) ounce of wine and no more than 5 samples shall be served to an individual prospective customer. For the purposes of this section, the term "agricultural event" shall be limited to those events certified by the department of agricultural resources as set forth in this section.

An applicant for a special license under this section shall first submit a plan to the department of agricultural resources that shall demonstrate that the event is an agricultural event. The plan shall include a description of the event, the date, time and location of the event, a copy of the operational guidelines or rules for the event, written approval that the prospective licensee has been approved as a vendor at the event, including the name and contact information of the on-site manager, and a plan depicting the premises and the specific location where the license will be exercised.

Upon review of the plan, the department may certify that the event is an agricultural event; provided, however, that in making that determination, the department shall consider the following factors: (i) operation as a farmers' market or agricultural fair approved or inspected by the department; (ii) frequency and regularity of the event, including dates, times and locations; (iii) number of vendors; (iv) terms of vendor agreements; (v) presence of an on-site manager; (vi) training of the on-site manager; (vii) operational guidelines or rules, which shall include vendor eligibility and produce source; (viii) focus of event on local agricultural products grown or produced within the market area; (ix) types of shows or exhibits, including those which are described in clause (f) of the first paragraph of section 2 of chapter 128; and (xi) sponsorship or operation by an agricultural or horticultural society organized under the laws of the commonwealth, or by a local grange organization and/or association whose primary purpose is the promotion of agriculture and its allied industries. The department of agricultural resources may promulgate rules and regulations necessary for the operation, oversight, approval, and inspection of agricultural events under this section.

An applicant for a license under this section shall file with the local licensing authority along with its application proof of certification from the department of agricultural resources that the event is an agricultural event. A special license under this section shall designate the specific premises, and dates and times covered. A special license may be granted for an indoor or outdoor agricultural event which takes place on multiple dates and/or times during a single calendar year but no special license shall be granted for an agricultural event that will not take place within 1 calendar year. The special license shall be displayed conspicuously by the licensee at the licensed premises. A copy of a special license granted by the local licensing authority shall be submitted by the authority to the commission at least 7 days prior to the date the agricultural event is first scheduled to begin. The local licensing authority may charge a fee for each special license granted, but such fee shall not exceed fifty \$50. A special license granted under this section shall be nontransferable to any other person, corporation, or organization and shall be clearly marked nontransferable on its face.

The commission may promulgate rules and regulations it deems appropriate to effectuate the purposes of this section.

Rules and Regulations for Caterer's Licenses

Approved: 1/12/15

Effective October 31, 2012, the legislature authorized a new type of annual, all alcoholic beverages license called the "Caterer's License." On August 1, 2012, the Governor approved Chapter 190 of the Acts of 2012 that created a new license Caterer's License pursuant to M.G.L. c.138, §12C. The Alcoholic Beverages Control Commission (ABCC) is responsible for issuing the license directly to a catering business for an annual fee of \$1500.00. There is no local involvement. A caterer's license authorizes the licensee to store, transport, sell and deliver alcoholic beverages in the ordinary course of the licensee's business. Alcoholic beverages may be stored only on the premises owned by the licensee or that the licensee has the exclusive right to occupy. An applicant who seeks a Caterer's License must also apply for a Transportation Permit, which the ABCC also issues directly for a fee of \$150.00.

The Caterer's License is an on-premises license, which allows a caterer to sell alcoholic beverages at private events (never at the caterer's principal place of business) for no more than five hours in a city or town that allows on-premises licensees under M.G.L. c. 138, §12. Licensed Caterer's cannot sell or deliver alcoholic beverages at events which occur in a licensed premises, i.e. a restaurant, hotel, club, etc.

In addition, the licensed caterer must:

- Purchase its inventory of alcoholic beverages from licensed wholesalers
- Maintain liquor liability insurance in a minimum amount of \$250,000.00/\$500,000.00
- Only permit individuals who have been certified by a nationally recognized alcoholic beverages server training program to serve alcoholic beverages
- At least 48 hours before any private event:
 - (a) notify the police chief and the local licensing authority that the licensed caterer will be serving alcoholic beverages in the city/town;
 - (b) provide a copy of the caterer's license to the police chief and the local licensing authority; (c) provide proof of insurance to the police chief and the local licensing authority; and
 - (d) provide an emergency contact number for the license manager to the police chief and the local licensing authority.

Rules and Regulations for Club Licenses

Approved: 1/12/15

Application Procedures

1. Club license applications to be filed in duplicate with the Select Board. (Information therein to be typed or printed in ink.) Application to indicate whether veterans' organization or club.
2. Following to be submitted with application:
 - (a) License fee - \$100.00 (check made payable Town of Arlington).
 - (b) Copy of Club Charter, also a copy of current membership list as of January 1.
 - (c) Copy of House Rules.
 - (d) The full names and residence addresses of the President, Treasurer, Clerk, Secretary, Directors and Manager, or other Principal Representatives of the organization.
 - (e) A copy of the vote, of the Board of Directors, or other similar body certified by the Clerk or Secretary of the organization, specifically authorizing the officer, who shall be identified by name and residence address, to sign the application for the license on behalf of the organization.
 - (f) A certified copy of the vote of the Board of Directors or other similar body, appointing a person who shall be identified by name and residence address to act as Manager or other Principal Representative.
 - (g) Certified copy of minutes of the last meeting of the membership of the organization prior to the date of application.
3. The Select Board shall cause a notice thereof to be published, at the expense of the application, within ten (10) days of receipt of application.
4. Applicant shall, within three (3) days after publication, cause a copy of the notice, attached to club stationery, to be sent by registered mail, return receipt requested, to each abutting property owner, and to any school, church or hospital located within a radius of five hundred (500) feet. Town Engineer to supply names and addresses of abutters and any school, church or hospital within five hundred (500) feet. Following statements to appear on notice sent to any school, church or hospital "As required by Chapter 138, Section 15A of the General Laws your attention is directed to the necessity of written objection to prevent the issuance of the license referred to in the above-captioned legal notice."
5. "An affidavit of the applicant or of the person mailing such notice on his or her behalf, together with an attested copy of the notice mailed, shall be filed in the office of the licensing authority." Affidavit to be made on appropriate place on application form. Registered mail return receipts are to be filed with the Select Board.
6. The Select Board shall cause an examination to be made of the premises. (Section 12 of Chapters 138 G.L.)

7. The Select Board shall schedule a public hearing ten days after the publication of such notice.
8. Application shall be granted or dismissed by the Select Board not later than thirty (30) days after filing; and if favorably acted upon by the Select Board it shall be submitted for approval by the Commission not later than three days following such favorable action. Licenses shall be issued not later than seven (7) days following receipt of notice of approval from Commission (Section 16B of Chapters 138 G.L.)

Club Operation & Service Regulations

1. THE LICENSE IS SUBJECT TO GENERAL LAW 138 AND THE REGULATIONS OF THE ALCOHOLIC BEVERAGES CONTROL COMMISSION AS WELL AS REGULATIONS, GENERAL OR SPECIFIC, MADE AT ANY TIME BY THE BOARD OR SELECT BOARD.
2. Unless otherwise fixed for a particular license, club licensees may sell alcoholic beverages for consumption on the premises between the hours of 11:00 a.m. and 1:00 a.m. daily.
3. The licensee shall furnish the name and address of the club, also the Manager's name, address and telephone number, to the Board of Select Board, Chief of Police and Chief of the Fire Department. Any change in location or of manager must be reported without delay to the Board of Select Board, the Chief of Police and the Chief of the Fire Department.
4. Club licensee shall have a bartender or manager in charge during open hours who is of good moral character and a responsible type of person. He/She shall be held accountable for keeping order.
5. The bartender or manager shall be responsible for the conduct of its members and guests in the licensed premises. He/She shall prevent undue noise and disturbance to the neighborhood.
6. The bartender or manager shall refuse to serve a member or guest who is approaching a condition of "under the influence."
7. The bartender or manager shall make an effort to prevent a member or guest from operating a motor vehicle if said member or guest appears to be "under the influence."
8. The bartender or manager shall refuse to serve any member or guest under the legal age. When in doubt of age, the bartender shall require the showing of identification cards in accordance with Chapter 138, Section 34B of the General Laws.
9. No member, guest or employee shall be served alcoholic beverages after legal hour of sale of same.

10. No person is allowed in that area of the building where alcoholic beverages are served between the hours of 1:00 A.M. and 6:00 A.M, except persons whose names have been posted with the Chief of Police who may be present for custodial purposes.
11. No alcoholic beverages shall be taken from the building.
12. No licensee shall sell alcohol beverages in any part of the premises not specified on this license.
13. The licensed premises must be well lighted at all times.
14. There shall be no indecent or immoral entertainment on the licensed premises.
15. Gambling, lotteries, or other illegal machines or games are prohibited except as otherwise permitted by law.

16A. REGULATION ON LICENSING OF AUTOMATIC AMUSEMENT DEVICES

The Application for a license of an Automatic Amusement Device or Devices at any Club or Non-Profit Organization shall not be considered by the Select Board until a vote of the membership is taken.

Prior to the vote being taken, all members of the Club or Organization shall be notified in writing. The notice shall specify "the type of machine and the name of the machine being considered". The notice shall also state that "According to the Rules and Regulations of the Board of Select Board, no gambling or payoff on any type of automatic amusement device is allowed. If any Club or Non-Profit Organization is found to be making payoffs which are illegal and constitute illegal gambling, after a Public Hearing, at which it is substantiated that illegal gambling did take place, the Club or Organization may be subject to temporary or permanent loss of their All Alcoholic Beverage License". (Adopted 7/28/86)

16. Membership. (i.e. Associate Membership or equivalent type) in licensed clubs, other than regular membership, shall be subject to the approval of the Select Board.
17. The licensed premises shall be subject, at all times, to inspection by members of the Select Board, their Executive Secretary, Town Manager, Board of Health or their representatives, Police Department, Fire Department, or any other department or official of the town so directed by the Select Board.
18. Violations
 - a. Generally: Any violation of Chapter 138 of the General Laws pertaining to licenses for the sale of alcoholic beverages to be consumed on club premises; any violation of the rules, regulations, or policies of the Alcoholic Beverages Control Commission relative to the sale of alcoholic beverages to be consumed on the club premises; any violation of these Policies, Rules, and Regulations; or any violation of the conditions attached to any license granted under these Policies, Rules, and Regulations may

result in additional conditions being placed on the license or in the cancellation, suspension, or revocation of the license following a hearing before the Board. Any action taken under this section shall be commenced by written notification to the licensee at the address on file with the Board. A hearing held under this section shall commence within two weeks or as soon as reasonably practicable thereafter following written notification. The Board or its agents may seize a license immediately if, in the Board's discretion, public health or safety warrants such a seizure and the penalty must begin on the same day of the week as the violation occurred. If a license is seized immediately, a hearing will be commenced within two weeks of the seizure, unless the licensee assents in writing to a longer time.

- b. Service to Underage Individuals: If, after notice and a hearing, the Board or its designee concludes that an under-aged person was served alcohol at a licensed establishment, the Board shall suspend the license as provided below, or for such other time as the Board in its discretion shall choose.

First offense:	3-5 days suspension
Second offense:	6-10 days suspension
Third offense:	10-15 days suspension or revocation

- c. This section shall not impair the Board's discretion to impose some other type of penalty in place of license suspension if the Board concludes that another penalty is appropriate. Such other penalties may include (but are not limited to) rolling back hours of operation, fixing other conditions on the license, or suspending or fixing conditions on the licensee's other licenses, such as Common Victualler or entertainment.
- d. In fixing the penalty for sales to underaged individuals, the Board may consider the following factors:
 - (i) licensee's policies and procedures and application of those policies and procedures to guard against service to underaged individuals;
 - (ii) severity and type of offense;
 - (iii) efforts made to identify purchasers of alcohol;
 - (iv) appearance of the underaged purchaser of alcohol;
 - (v) quality of the evidence of a violation;
 - (vi) circumstances of the case; and
 - (vii) number and nature of licensee's previous violations.

- 19. The Board of Select Board reserves the right to amend these rules and regulations any time without prior notice.

licensed premises, including but not limited to the State Building Code, Fire Code, Common Victualler License, and Brewery license requirements as well as all applicable Town Bylaws and codes. Failure to comply with these or any other applicable provisions may lead to further conditions being placed upon the license or to license suspension or revocation.

II. Licensing

A. Types of Licenses, Seating Capacity

The Board is authorized to issue two types of licenses for the sale of alcohol to be consumed on the premises: (1) All-Alcohol; and (2) Wine and Malt Beverages. All-Alcohol Licenses may be issued for restaurants having a minimum seating capacity of 50. Wine and Malt Beverage Licenses may be issued for restaurants having a minimum seating capacity of 19. Holders of licenses to sell wine and malt beverages for consumption on the premises may not sell cordials or liqueurs unless and until the Town adopts local-option legislation to allow such sales. Seating capacity will be determined in accordance with the applicable provisions of the Massachusetts State Building Code. Unless specified otherwise, these Policies, Rules, and Regulations apply to both All-Alcohol and Wine and Malt Beverages licenses.

B. Application Process

1. Forms: Application for a license to sell alcoholic beverages for consumption on the premises requires submission of the following forms, in addition to any other information required by Chapter 138 of the General Laws or the rules, regulations, or policies of the Alcoholic Beverages Control Commission:

- (a) Alcoholic Beverages Control Commission application form;
- (b) Town of Arlington application form;
- (c) Criminal Offender Record Information ("CORI") release form; and
- (d) Department of Revenue release form.

The Board reserves the right to decline to process incomplete applications and to supplement or substitute required application materials at any time. Complete application information must be provided for each individual appearing on the application.

2. Fees:

- (a) filing fee: A non-refundable filing fee of \$100 must be submitted with each application;
- (b) license fees: If a license is granted, the following annual license fee shall be due at the time the license is issued and upon each renewal:
 - (i) All Alcohol License: \$3,000. By vote of the Board, this annual fee may be prorated for licenses granted after January 1, but in no event shall it be less than \$1,500.
 - (ii) Wine and Malt Beverage License: \$1,750. By vote of the Board, this annual fee may be prorated for licenses granted after January 1, but in no event shall it be less than \$600.

D. Physical Plant

The location of service bars shall not be changed without the submission of an amended floor plan to the Board and the Board's written approval. No premises will be licensed unless adequate and appropriate toilet facilities are available to patrons. No amusement devices such as electronic games shall be permitted on any licensed premises. All licensed establishments shall have suitable appliances to maintain water temperature consistently at 180° so that eating, drinking, cooking, and serving utensils are thoroughly cleaned and sanitized. In the interest of discouraging the marketing of alcoholic beverages to minors, licensed premises shall be limited to the posting of advertisements or signs carrying the name of the owner/operator and all signage is subject to Section 6.2 of the Arlington Zoning Bylaw. Signage on the inside of licensed premises is subject to Board approval.

E. Service and Consumption of Alcoholic Beverages and Food

1. Service of Alcoholic Beverages: Alcoholic beverages may be served only by staff of the licensed establishment. No pitchers of beer may be served. Alcoholic beverages served over a counter can only be served at the point of sale after direct verification of a valid drivers' license to confirm that the customer is of legal drinking age and that customer is the sole recipient of the beverage.

2. Service of Food: Food service must be available in all areas in which alcoholic beverages are served. No more than two alcoholic beverages per person may be served without food. After two alcoholic beverages have been served and consumed, a third such beverage may be served only with the delivery of food. Food must be served on solid, reusable, recyclable, or compostable dinnerware

3. Consumption of Alcoholic Beverages on the Premises: Only alcoholic beverages sold on the licensed premises shall be consumed on the premises: no patron shall be permitted to bring alcoholic beverages purchased off-site onto any licensed premises for consumption. All alcoholic beverages purchased on the premises shall be consumed on the premises, except unfinished bottles of wine re-sealed in accordance with Chapter 138, Section 12, of the General Laws and regulations of the Alcohol Beverages Control Commission. Even if the licensee's Common Victualler permit allows for outdoor seating, alcoholic beverages may be served in an outdoor space only if: (1) the description of the licensed premises expressly includes such outdoor space; (2) the outdoor space is surrounded by a suitable barrier or other physical element that maintains separation between the licensed premises and the general public; (3) the outdoor space is privately owned, or the outdoor space is on a public way and the owner of the licensed premises: a) obtains permission for such use from the Board, b) agrees to indemnify and hold harmless the Town of Arlington and all of its officers, officials, and assigns from any and all claims connected with their use of public ways areas described in the licensed premises, c) presents proof of insurance for its use of same, and d) complies with all other town, state, and federal laws including maintaining Americans with Disabilities Act (ADA) compliance; and (4) the Board is satisfied that neither the safety, nor the enjoyment of public ways shall be unreasonably compromised by issuance of a license permitting outdoor service of alcohol on a publicway. All outdoor food and alcohol service shall conclude before 10:00 p.m. Sunday through Thursday, and 11:00 p.m. Friday and Saturday, unless otherwise affixed on a particular license as approved by the Board.

IV. Status of License

A. Exercise of License: Once a license is granted under these Policies, Rules, and Regulations, the licensee shall commence construction or alteration of the licensed premises within forty-five days and shall be in full operation within four months, unless a longer period is authorized by the Board. Thereafter, the licensee shall operate the licensed premises continuously in accordance with the terms of the license.



TOWN OF ARLINGTON

MASSACHUSETTS 02476

781 - 316 - 3090

DEPARTMENT OF PLANNING and COMMUNITY DEVELOPMENT

MEMORANDUM

To: Stephen DeCoursey, Chair, Select Board
Jim Feeney, Town Manager
CC: Claire Ricker, DPCD Director
From: Katie Luczai – Economic Development Coordinator
Date: January 13, 2025
RE: Office of the Select Board Alcohol Licenses and Regulations

The purpose of this memo is to voice support for making changes to the Office of the Select Board Alcohol Licenses and Regulations pertaining to seating capacity minimums as well as the provision regarding the Consumption of Alcoholic Beverages on the Premises (for Restaurants).

Seating Capacity Minimums (Policies, Rules, and Regulations of Alcohol Licenses for Restaurants, Section 2A)

Compared to nearby communities, Arlington's existing commercial stock is limited in its availability of large, contemporary spaces which make it easier for food establishments to meet certain seating capacity minimums. As of September 2024, the average size of available commercial spaces in Arlington was 1,518 square feet. Of the available spaces, the majority were less than 1,000 square feet (11 available properties). Dining areas will typically take up 60% of space in the establishment, already limiting the amount of available space for seating¹.

In addition to being small, these available spaces tend to be old with the average age of available buildings being 71.4 years since the spaces were either built or a major renovation had been completed. Older spaces require more up front capital for incoming tenants, making Arlington a more costly town to establish a business than others nearby.

It is known that running a business establishment is a financially challenging and stressful endeavor. At food establishments, profit margins on alcohol are higher than revenue generated than food. Over the last few years, especially, the restaurant industry has faced numerous barriers to overcome. Profit margins provided by serving alcohol can determine an establishment's fiscal health, making or breaking a decision to continue operations.

To put Arlington's seating capacity minimums in perspective, below I outline the seating capacity minimums required for licenses in nearby communities:

- The City of Cambridge does not have seating capacity minimums, instead the Select Board sets the capacity number (Rules and Regulations, Rule 9.1).

¹ Max Sun Group, <https://maxsungroup.com/seating-capacity-layout/>

- The city of Waltham does not have a seating capacity minimum for licenses².
- The city of Somerville has a seating capacity minimum of 12 seats³.
- The town of Lexington requires restaurants, whose principal business is the sale of food for consumption, on premises to have a seating capacity of 18 seats⁴.
- The town of Belmont requires a seating minimum of 39 seats for Wine and Beer licenses and 130 seats for All Alcohol licenses⁵.

In Arlington we greatly value the wealth of food establishments we have across all three business districts. These establishments make up the fabric of our local business community. To best ensure both the continuation of our existing establishments and support the establishment of new eateries in town, I support decreasing or eliminating the seating capacity minimums across all license types.

Service and Consumption of Alcoholic Beverages and Food (Policies, Rules, and Regulations of Alcohol Licenses for Restaurants, Section 3E)

Another provision in the Town of Arlington Office of the Select Board Alcohol Licenses and Regulations that I support reevaluating is the Consumption of Alcoholic Beverages on the Premises (for Restaurants).

Consumption of Alcoholic Beverages on the Premises (for Restaurants) – “No more than two alcoholic beverages per person may be served without food. After two alcoholic beverages have been served and consumed, a third such beverage may be served only with the delivery of food.”

This provision is challenging and vague in its meaning. The term “food” is not defined. After looking at other municipal alcohol regulations this requirement in Arlington’s provisions is unique and poses complexities for prospective food establishments. All establishments who serve alcohol must already follow other serving requirements to ensure that alcohol is offered not only legally but safely. Because of these reasons, I support the removal of this provision from the Office of the Select Board Alcohol Licenses and Regulations.

Thank you for your consideration and continued support of the Arlington business community.

² The Waltham License Commission Rules & Regulations for the Sale of Alcohol Consumed on Premise.

³ Licensing Commission City of Somerville Rules and Regulations

⁴ Town of Lexington, Select Board Regulation, Restaurant, Event Space & Craft Beverage Establishment Alcoholic Beverage License Regulations

⁵ Town of Belmont, Alcoholic Beverage Policies, Rules, and Regulations, Section 3.



Town of Arlington, Massachusetts

Discussion & Potential Vote: Select Board Warrant Articles for Annual Town Meeting



Town of Arlington, Massachusetts

Town Manager Vacation “Buy Back”

ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	Vacation_Buy_Back_Memo_2024.pdf	Reference



**Town of Arlington
Office of the Town Manager**

**James Feeney
Town Manager**

**730 Massachusetts Avenue
Arlington MA 02476-4908
Phone (781) 316-3010**

To: Members of the Select Board

From: James Feeney, Town Manager

Cc: Ida Cody, Comptroller
Caryn Malloy, Human Resources Director

Re: Town Manager Vacation "Buy Back"

Date: December 4, 2024

Pursuant to Section 3A (included below) of the terms of my employment agreement with the Board, I am writing to inform the Board of my intention to request the "buy back" of ten (10) unused vacation days from calendar year 2024.

If you have any questions regarding this matter, please do not hesitate to contact me.

3. Vacation, Sick Leave, and Long-Term Disability.

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Vacation Leave.

Mr. Feeney shall earn twenty-four (24) vacation days per calendar year. Mr. Feeney's vacation accrual shall be prorated for service of less than one full calendar year. Mr. Feeney, at his option, may elect to have the Town "buy back" up to and including ten (10) accrued unused vacation days per calendar year provided that Mr. Feeney gives the Board written notice that he will be requesting such buyback. This buyback will be subject to all legally required withholdings. Vacation that is not used and that has not been bought back shall not be carried over into a subsequent calendar year.



Town of Arlington, Massachusetts

NEW BUSINESS



Town of Arlington, Massachusetts

Next Scheduled Meeting of Select Board January 27, 2025

Summary:

When: Jan 13, 2025 07:15 PM Eastern Time (US and Canada)

Topic: Select Board Meeting

Register in advance for this webinar:

https://town-arlington-ma-us.zoom.us/webinar/register/WN_zmCk_ar1QSulCF2fqY0MCQ

After registering, you will receive a confirmation email containing information about joining the webinar.

Notice to the Public on meeting privacy In the interests of preventing abuse of videoconferencing technology (i.e. Zoom Bombing) all participants, including members of the public, wishing to engage via the Zoom App must register for each meeting and will notice multi-step authentication protocols. Please allow additional time to join the meeting. Further, members of the public who wish to participate without providing their name may still do so by telephone dial-in information provided above.